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NEIGHBORHOOD CONSERVATION PLAN FOR CHEYENNE, WYOMING

PREPARED FOR
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REGIONAL PLANNING OFFICE**
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DECEMBER 1984

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PROJECT FUNDING

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EXECUTIVE SUMMARY

NEIGHBORHOOD CONSERVATION PLAN FOR CHEYENNE, WYOMING

The Cheyenne-Laramie County Regional Planning Office is responsible for mitigation plans for city neighborhoods as a result of planned deployment of Peacekeeper missiles in the Cheyenne Area.

As an element of impact mitigation, Urban Design Associates was contracted in September, 1984, to develop with and for Cheyenne a Neighborhood Conservation Plan. Project Goals were set forth by the Planning Office as follows:

1. To build support for a coordinated local neighborhood conservation program.
2. To provide information to interested members of the public about neighborhood conservation.
3. To obtain public input regarding the substance and structure of a neighborhood conservation program.
4. To prepare and have adopted a neighborhood conservation plan for Cheyenne.
5. *To modify ordinances in order to promote neighborhood conservation in keeping with city-wide objectives.*

Project work was completed by consultants in December, 1984, and the proposed Neighborhood Conservation Plan is respectfully submitted by Urban Design Associates Paul Foster, Roy Fronczyk, Paul Heath, Bernie Jones, and Gary Long, coordinator.

The objective of neighborhood conservation is benefit to both neighborhood and city. Neighborhoods are the essential building blocks; in Cheyenne there are neighborhoods well established, neighborhoods undergoing destabilizing change, and neighborhoods unfinished, still building. Whatever their status, each neighborhood will have physical and social characteristics which come together as a set of conditions which for their inhabitants identify a unique neighborhood character.

Each neighborhood as member of the city family has responsibility for the welfare of the city, and in turn the city bears responsibility for each neighborhood.

All neighborhoods, whatever their character, exist in an ever-present state of change. For some, such change will be so slow as to go unnoticed; a porch added here, a color change with repainting there. For other neighborhoods change will be so rapid as to threaten the very qualities that are perceived as identifying the neighborhood.

Orderly growth and change are perceived as contributing to the building of fine cities. Uncontrolled and unanticipated growth and change frequently have the opposite effect of diminishing or destroying existing urban values.

A definition of neighborhood conservation is the preservation of existing values concurrent with the realization of neighborhood potential through orderly growth and change.

The Cheyenne Neighborhood Conservation Program is a serious endeavor that seeks value preservation and the realization of potential for each neighborhood, that seeks neighborhood integrity - a condition having no part or element wanting.

The charge to Urban Design Associates was community education, and community involvement in the design of a Neighborhood Conservation Plan.

To this end the consultants conducted in the fall of 1984 four Town Meetings, a Developers/Officials Workshop and a Neighborhood Development Seminar. Each of these public meetings was introduced with a presentation of the goals of neighborhood conservation. Then in the Town Meetings controversial case studies were used from Planning Office files to impart some knowledge of the development permitting process in Cheyenne. In the Developers/Officials Workshop initial findings from the Town Meetings were presented, and in the Seminar major presentations were made concerning Cheyenne neighborhood design and the history and means of neighborhood organization.

In each of these public meetings the audience in small groups then discussed the issues raised. In these small groups, facilitated by consultants, citizens were quick to voice their concerns for their neighborhoods, and their city. Though no claim is made that the some one hundred people that attended the meetings (many came to more than one) were fully representative of the Cheyenne community, the small group discussions did express a wide range of viewpoints.

From the many comments recorded in these public meetings discrete issues emerged that are the basis of the proposed Plan. These Issues are a series of concerns that directly or tangentially affect neighborhood conservation.

ISSUES AFFECTING NEIGHBORHOOD CONSERVATION

- Development/neighborhood compatibility
- City-wide connections and land uses
- Historic integrity
- Neighborhood boundaries and identity
- Growth patterns and annexation
- Traffic

Public lands, dedications, and easements
The permitting process
Consistent and clear and fairly applied rules
Agreements enforcement
Project evaluation standards
Developer/neighborhood communications
Balance of interests in growth and change decisions
Area development plan implementation

These issues were discussed in a day-long meeting with members of the Planning Office, and the preliminary Plan resulting from these issues was presented to officials representing the Planning Commission, Board of Adjustment, the County Commissioners, and the City Council.

The proposed Neighborhood Conservation Plan is made up of twenty recommendations. They are presented in five sequential steps that if taken in order will provide an ongoing Neighborhood Conservation Program.

Only two of the recommendations suggest new ordinances; the remainder involve reiteration of existing policy and ordinances, or administrative procedures, or existing ordinances already under revision.

The Plan recommendations are presented in short form as follows:

STEP ONE DEFINE NEIGHBORHOOD BOUNDARIES AND NAMES

1.1 The Planning Office should initiate a broadly participatory project to define neighborhood names and boundaries.

STEP TWO DEFINE NEIGHBORHOOD QUALITIES TO BE PRESERVED AND ENHANCED

2.1 The Planning Office should assign a senior staff person as Planner for the Neighborhood Conservation Program.

2.2 The Planning Office, with support from the advisory committee for the Area Development Plan, should produce with each neighborhood as it is ready individualized Neighborhood Design Guidelines.

2.3 The Cheyenne comprehensive plans -- Capital Expenditure, Traffic, Annexation, and Parks and Recreation -- should be reviewed by their advisory committees to determine their impacts on neighborhood conservation.

STEP THREE

IDENTIFY THE CONSERVATORS AND THEIR TASKS

- 3.1 City Council should pass a Neighborhood Notification Ordinance.
- 3.2 Each Cheyenne neighborhood should identify quite precisely its assets and its goals for the future, especially as these might relate to the Area Development Plan.
- 3.3 Developers should understand the need to work with neighborhood organizations, and should initiate communication with these groups before plans are finalized.
- 3.4 Developers should work toward projects that fit neighborhood contexts.
- 3.5 The city should continue its support for historical preservation.
- 3.6 The Planning Office should initiate a project to create or strengthen connections among Cheyenne neighborhoods.
- 3.7 Standards designating preferred tree species within street Rights Of Way should be promulgated.
- 3.8 Standards for street layout and for sidewalk location should be reviewed for the guidance of new development design.
- 3.9 The Planning Office should make available staff as facilitators of neighborhood-developer interaction.
- 3.10 Decision-makers should continue support for their appointed staff.
- 3.11 The City should urge the County to adopt design standards for new developments equal to those of the design standards of the City for developments within three miles of the City Limit.
- 3.12 The City should encourage infill of vacant lands within Cheyenne city limits before new development beyond in the County.

STEP FOUR

CARRY OUT NEIGHBORHOOD CONSERVATION

- 4.1 The pending proposals for a new Zoning Ordinance should be supported.
- 4.2 Permitting processes should be reviewed for effectiveness, efficiency, and fairness.

STEP FIVE
EVALUATING RESULTS

- 5.1 Council should create a standing Advisory Committee for Neighborhood Conservation.
- 5.2 Council should adhere to the mandate in existing policy that city plans be periodically reviewed in public hearings.

PROJECT: NEIGHBORHOOD CONSERVATION



PROJECT: NEIGHBORHOOD CONSERVATION

Growth and change can be a threat, or an opportunity. This project was suggested by the acceleration of growth and change which will come with Peacekeeper, and is an attempt at capturing an opportunity. This project seeks ways of guiding new development toward preserving and enhancing neighborhood assets in Cheyenne.

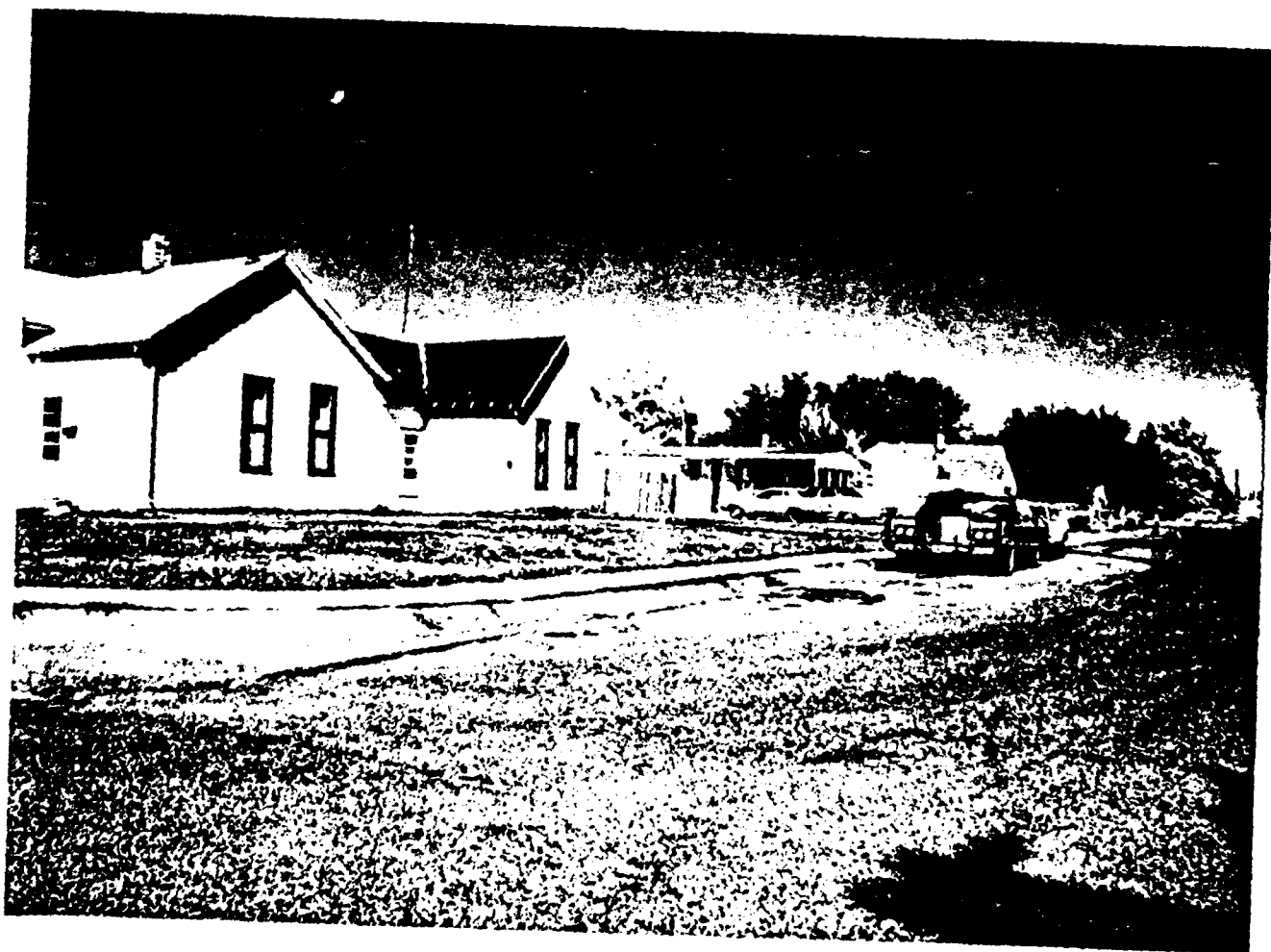
Conservation in this context commonly means the preservation of established districts of historic value. This was the early meaning of Cheyenne's Neighborhood Conservation Program. With the separation of key preservation interests to an independent project, however, the goals of the Program were extended to include all Cheyenne neighborhoods, old and new and still under construction. Conservation in this broadened sense supports strengthening and improving neighborhood integrity across the city. Conservation in this meaning recognizes the individuality of each neighborhood, and the value of neighborhoods as the indispensable building blocks of the city.

The Neighborhood Conservation Program has a reason for being as long as concern continues for neighborhood integrity and development. This project is an inaugural piece of the Program with these project goals as stated in the request for proposals by the Cheyenne-Laramie County Regional Planning Office:

1. To build support for a coordinated local neighborhood conservation program.
2. To provide information to interested members of the public about neighborhood conservation.
3. To obtain public input regarding the substance and structure of a neighborhood conservation plan.
4. To prepare and have adopted a neighborhood conservation plan for Cheyenne.
5. To modify local ordinances in order to promote neighborhood conservation in keeping with city-wide objectives.

Urban Design Associates approached the project with but one acknowledged bias: fine neighborhoods make strong cities. Beyond this the ideas, issues, and proposals of the report derive largely from interaction with Cheyenne residents in public meetings. Two themes are recurrent in our conversations and findings: neighbors want to be involved in issues affecting them, and citizens seek a system guiding new development that is clear, consistent, and fair to all. Both themes are the core of this report and of the proposed Neighborhood Conservation Plan.

METHODOLOGY AND REPORT



METHODOLOGY AND REPORT

Urban Design Associates was selected as consultant following review of responses to a request for qualifications, and to a later request for proposals. The accepted proposal with minor changes has been followed closely, leading to the proposed Neighborhood Conservation Plan.

The work of consultants has been completed in four tasks: Preparation, Community Meetings, Data Analysis, and Plan Preparation. The period for all four tasks was September through December, 1984. The tasks in brief:

- 1 Review documents and publications
Refine project plan
Develop case studies for Town Meetings
- 2 Prepare and conduct Town Meetings October 10, 16, 24, 30
Prepare and conduct Developers Workshop November 7
Prepare and present Community Development Seminar November 10
- 3 Analyze data and synthesize issues
Present issues in Planners Workshop November 23
- 4 Design the Neighborhood Conservation Plan
Present the Plan in Officials Workshop December 13
Refine the Plan with collected criticism
Produce the Report

Tasks 1, 3, and 4 are conventional in interpretation and in execution and bear no further mention. Task 2, on the other hand, is quite special to the understanding of this report; it encompasses the means of obtaining citizen ideas and concerns. Task 2 deserves further description.

Each of the four Town Meetings was conducted with dual purpose: provide education in the planning process for residents, and gather concerns and needs that might find a place in a Neighborhood Conservation Plan. To obtain the first purpose, each Town Meeting started with two development case-studies from the files of the Planning Office. The second purpose was then pursued in a second half with small-group discussions of issues raised in the case studies, or of issues of interest contributed by participants.

A five-heading format organized the small-group discussions. Consultant facilitators recorded comments under headings of the development approval process, what to preserve, what to add, what to remove, and what to keep out. These comments in unedited form are a part of the appendices; in edited form are a part of the issues section.

The Meetings were each given a topic of concern typical to the geographic area in which the meetings were held. The case-studies were selected to introduce the topics.

Topic one for the older neighborhoods of Cheyenne was intrusion; the problem of incompatible uses that are damaging to continued residential stability.

Topic two for the newer still developing sections was compatibility; the problem of project block-busters that by such measures as size, massing, street relationship, density, or style do not fit already established neighborhood values.

Topic three for South Cheyenne was quality; the problem of the difference in standards in city and county, and the problem of expectations, and the problem of obtaining equal treatment for all neighborhoods.

Topic four for neighborhoods already veined with business or commerce was mixed uses; the problem of expansion or new development of uses which might cause the deterioration of residential values.

The Developers Workshop provided a forum for the expression of interests and issues of concern to developers. These concerns were generally in two areas: the permitting process, and the developer-community relationship. Developer's comments in small-group discussions were recorded by consultant facilitators and are, like the Town Meeting notes, included in unedited form in the appendices, in edited form in the Issues section.

Attendance at the four Town Meetings varied from thirteen to twenty-five persons. Most indicated that they had come as neighbors, with prior exposure to the planning process ranging from none to quite extensive. A few persons indicated their primary interest in the Town Meetings to be as developers or as agents for developers or as city officials. Though no claim is

made that those attending the Town Meetings were fully representative of the Cheyenne community, the small group discussions did express a wide range of viewpoints.

Twenty three persons attended the Developers Workshop, and almost all identified themselves as representing or understanding the developer's viewpoint. The Developers Workshop was advertised for both developers and officials of government, but since only one or two officials were present, the meeting is reported as for developers only.

The Community Development Seminar completed Task 2. A pair of presentations covered the means and reasons for neighborhood organization, and covered the urban design possibilities and imperatives for residential Cheyenne. The seminar concluded the public education and participation phases of consultant's work.

The next section, Issues, includes the many comments and sentiments expressed in the seven public meetings by Cheyenne neighbors, developers, city and county staff, and decision-makers. These statements were recorded in small group discussions, sometimes as quotes, sometimes as problems or questions raised. They appear in the appendices in unedited form, and are a part of the Issues section as edited sentences attributed to neighbors, developers, or planners. The edited sentences are not precisely any one person's statement, but represent the consultant's appraisal and summary of positions clearly taken at the meetings.

Organization of the data collected in meetings and workshops was at first elusive, or at least did not directly point toward a conservation plan. The data did, however, finally come together as a series of concerns that directly or tangentially affect neighborhood conservation. These concerns are presented as fourteen Issues that support the proposed Neighborhood Conservation Plan. The first seven make up a set of physical issues, the second seven a set of procedural issues.

Each issue is introduced with the consultant's introduction followed by the edited sentence statements. Each statement is identified by source, N for neighbor, D for developer, P for planner.

The proposed Neighborhood Conservation Plan follows logically the Issues section. Twenty recommendations are made that together make up the Plan. They are presented in five steps which if pursued in order will provide an ongoing Neighborhood Conservation Program.

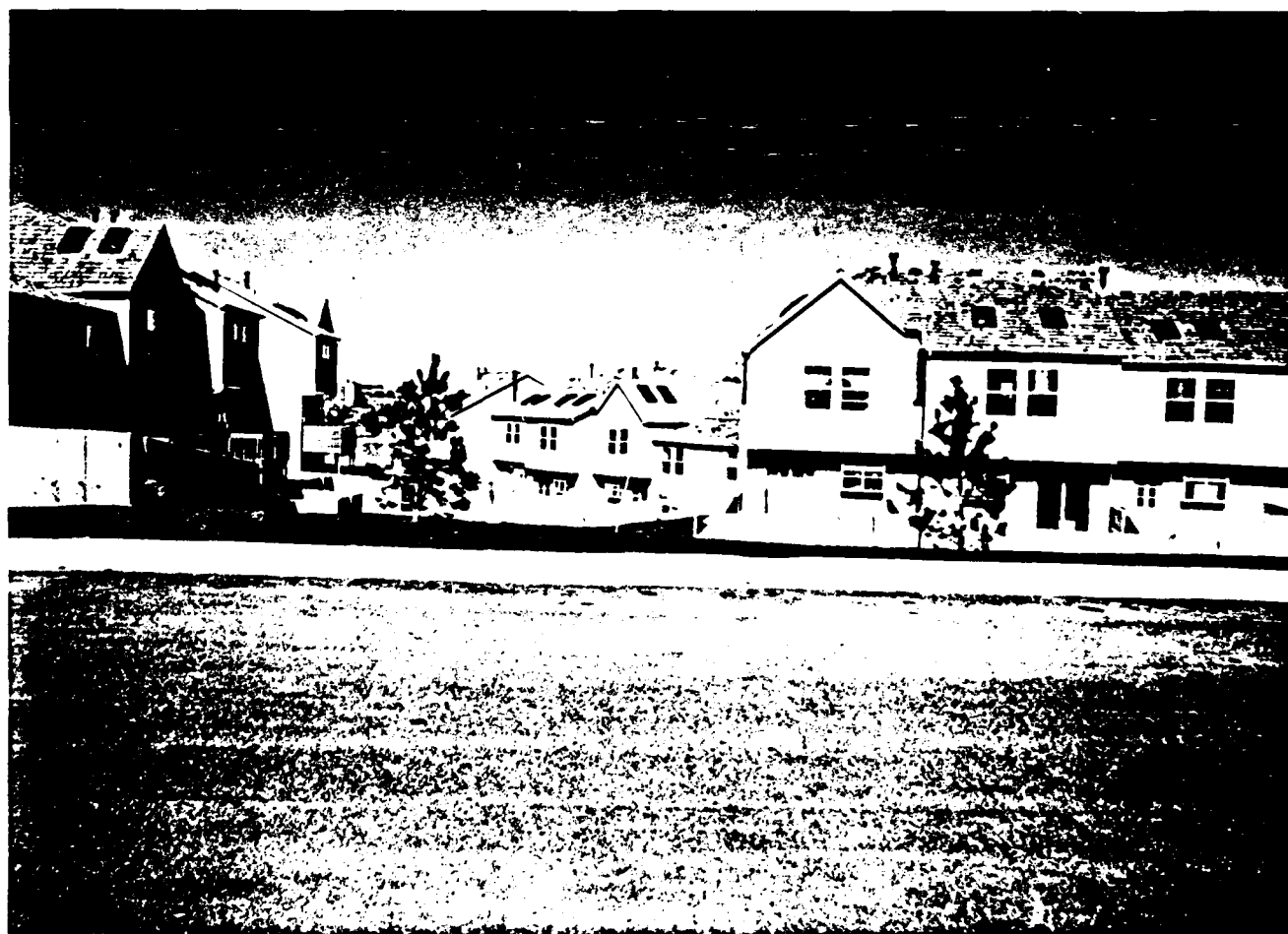
Only two of the recommendations suggest new ordinances; the remainder involve reiteration of existing policy and ordinances, or administrative procedures, or existing ordinances already under revision:

The two recommendations suggesting new ordinances have to do with neighborhood recognition and automatic notification, and with conservation overlay zoning for established but non-historic neighborhoods. Both of these are fully discussed in the Plan, and examples are placed in the Appendices: a neighborhood recognition and notification ordinance from Denver, and a conservation zoning overlay ordinance from Albuquerque.

No one recommendation is absolutely essential to the success of the Program, but each makes an integral contribution. It is critical, though, to recognize the necessary contribution of all parties to the Program: Neighborhoods, Developers, Staff, and Decision-makers. Each has a star's role to play.

The proposed Plan is a community plan. To be effective it must belong to all citizens. In research of other city efforts in Neighborhood Conservation, Urban Design Associates has found no American city that in the fashion of this Plan extends conservation to all neighborhoods. Though no one element of the Plan is new to planning interests, the composite is unique. It belongs to Cheyenne.

ISSUES AFFECTING NEIGHBORHOOD CONSERVATION



ISSUES AFFECTING NEIGHBORHOOD CONSERVATION: PREFACE

The fourteen issues which follow were distilled from the public meetings and workshops, and serve as keys to understanding the problem of neighborhood conservation. The issues are presented in a somewhat unusual format in an attempt to properly express the opinions of the community. Each issue is introduced with a short paragraph by the consultants followed by edited statements identified by source: N for neighbor, P for planner, D for developer.

The number and source of statements under each issue roughly approximates the degree and range of participant interest in the issue. The statements are blended as a mixture of points of view. Consensus is clear in some areas, and disagreements are clearly expressed in others.

Education was raised frequently in all sessions as a summary concern. Consensus was clear that neighborhood conservation was primarily a matter of community education, and that conservation could not be achieved through a regulatory process alone. Implementation of a neighborhood conservation plan will require many public meetings and hearings which will accomplish at the same time citizen understanding of city processes, problems, and opportunities.

Self help and self reliance were another set of ideas finding support amongst all groups. Cheyenne, like most American cities, is rich in human resources and limited in dollars available for public improvements. Many improvements involving neighborhood conservation can be accomplished by neighbors working together, especially neighborhood landscaping and maintenance.

A final problem frequently discussed with respect to neighborhood conservation was the possible conflict between neighborhood interests and city policy. As an example, this problem might find expression in the assignment of unwanted publically assisted housing to various neighborhoods. If HUD housing has to go somewhere, where does it go? Developers were wary of encouraging neighborhood power that could frustrate projects developed within recognized city guidelines. Neighbors on the other hand expressed some lack of confidence that elected representation alone was sufficient to protect neighborhood interests. Concern was expressed that neighborhood organization for conservation purposes might simply become exclusionary.

DEVELOPMENT / NEIGHBORHOOD COMPABILITY

This issue more than any other is the key to conservation of existing neighborhood assets. As uses change or as new buildings are added the question is one of fit: does the new use or development fit the existing neighborhood? If the change or addition fits graciously into its new setting, neighborhood conservation is enhanced. If the change or addition is jarring, or obtrusive, or damaging, then neighborhood assets are diminished. The existing Area Development Plan is excellent policy. The existing Cheyenne Zoning Ordinance (borrowed from another city) does not, however, fit this policy. Comments from developers and planners alike indicate the friction caused by this mismatch. The new zoning ordinance under development should ease this friction.

Policy and Ordinance both seek use and textural compatibility in new developments, but no guideline and no law will alone suffice. Compatibility finally depends on a reading of prevailing neighborhood character and conditions, and on a sincere attempt at respecting both in new developments. The developer is a tailor: holes are repaired; new cloth is added to existing fabrics.

- . New buildings should fit the design characteristics of a neighborhood; even a gas station should be of similar scale and materials. N
- . Compatibility beyond Development Plan/Zoning Ordinance requirements comes up only if a neighborhood brings it up through the political process. P
- . The feeling of a neighborhood, the texture, includes church parking lots and trees. N
- . New developments should front the street like traditional neighborhoods. N
- . Mixed use developments can fit fine if they are designed right. N
- . There is nothing wrong with the neighborhood bar or a few neighborhood businesses amongst houses. N
- . Quality is compatibility in style and size and density. N
- . More extensive use of Planned Unit Development would provide better quality controls. D
- . Buffers like landscaping or transitional uses need to separate incompatible uses. N
- . Buffers or transitions along neighborhood boundaries are critical: "We would rather have looked at the front doors of single family homes than the backsides of townhouses." N

- . Common setbacks and street relationships help compatibility. N
- . Cheyenne needs design controls. N
- . The Development Plan is being used informally or indirectly by the Planning Office as a basis for design review. P
- . But "I don't want to see Cheyenne become a city of little brick houses." N
- . Keep high-density developments out of low-density neighborhoods. N
- . The Development Plan is not used by agencies other than the Planning Office because of either inconvenience or ignorance. P
- . Action preventing undesirable uses within an area depends on the strength of the neighborhood fighting such use. P
- . How it looks is the issue, including the problem of mobile homes and where to put them. N
- . "When there were two or three they looked like a home, but in long rows no: they don't fit the neighborhood." N
- . Incompatible uses must be defined differently for each neighborhood. N
- . Definitions of use-by-right plus intensity of use are being developed for the new zoning ordinance to more closely reflect the Development Plan. P
- . The Cheyenne Area Development Plan is used by planners as the starting point of development permit review. P
- . The Area Development Plan is not consistently applied. D

CITY-WIDE CONNECTIONS AND LAND USES

This is a city problem, but indirectly it is a neighborhood concern as well. Plans and policies should mandate equality for all areas and districts. There should be no second-class neighborhoods in the planning of the city. Finding fair distribution of unwelcome but necessary uses is difficult; providing ties from isolated neighborhoods to other neighborhoods and the city beyond is expensive. But success in both ventures is the base for the stable development of a fine city.

- . Physical connections are considered more frequently in planning activities than are social connections. P
- . Development review by other agencies is limited to their particular purview. The planning staff is the only group in a position to raise larger connections issues. P
- . No one is looking after the aggregated impacts of small developments. N
- . The South Side is a major planning problem for connections across the tracks, but the air base and airport are barriers as well. P
- . There is a growing sense of pride in South Cheyenne; it deserves nurturing. N
- . It would be beautiful to tie Cheyenne together with colonnades of trees like the older sections have. N
- . We've got to maintain the quality of the street. N
- . There is lack of adequate public capital to invest in new connections. There is little city willingness to push for new connections. P
- . The Parks and Recreation Plan could give the city stronger connections. P
- . Inadequate attention is given by the city to the need for physical and social connections. P
- . We need a place for all people in the community: Renters have needs, and some people need small units. N
- . We need to remove the stigma of "country areas," the wrong side of the tracks. N
- . Keep out HUD housing in any form. N
- . Policy for location of HUD assisted housing is not clear. P
- . Places that are dirty are needed; the garbage has to go somewhere. N
- . Heavy industry and undesirable but necessary uses are presently zoned and properly considered. P
- . Expansion of nonconforming uses are now typically given precedence over the Development Plan; it is a persons over policy problem. P

HISTORIC INTEGRITY

Long established protection of the historic character of Cheyenne neighborhoods is the origin of this Conservation Program. Discussion at the Town Meetings recognized the value of Cheyenne's historic structures, and supported Planning Office efforts in preservation. Civic pride in Cheyenne's past and in the artifacts remaining can be shared by all residents, not just those who live in old buildings.

- . A study is underway to develop an historic preservation ordinance. P
- . The Planning Office promotes preservation. P
- . The historic value of Cheyenne, downtown business and neighborhood, need preserving. N
- . The Planning Office gives special attention to project review in historic districts. P
- . Historic character becomes integral to neighborhood identity. N
- . The old homes are unique. N
- . The Planning Office supports and gives direction to the creation of additional historic districts. P
- . But preservation is low in city and citizenry priorities. P
- .. The state-wide Historical Association and State Historical Preservation Officer are in Cheyenne. P
- . But Cheyenne has no Historical Society or Association of its own. P

NEIGHBORHOOD BOUNDARIES AND IDENTITY

Cheyenne is large enough to have a rich diversity in the culture, quality, and age of its neighborhoods, but small enough to give little thought to such differences. The Planning Office has drawn neighborhood boundaries for land use and statistical purposes, but these neighborhood distinctions are not necessarily common to citizen perception. Finding neighborhood boundary and identity consensus would be welcome first steps in building neighborhood pride.

- . 32 neighborhood statistical areas are defined by subdivision lines and the area development plan boundaries. P
- . 46 Area Development Plan boundaries are defined in an attempt at mirroring community consensus for land use. P
- . Neighbors in their definition of neighborhood are emotional, not rational. D
- . We want to have a sense of neighborhood more than a subdivision name. N
- . And we need ways of recognizing each neighborhood's integrity. N
- . Some neighborhoods have boundaries by covenant or by incorporation. P
- . But there is little correlation between neighbor perception of neighborhood boundaries and statistical area or development plan boundaries. P
- . And neighborhood names are not commonly recognized. P
- . Cultural diversity amongst neighborhoods is real; it needs preserving. N
- . Profiles of neighborhoods need development, and publication. N
- . How do you help people understand what is going in their neighborhoods? N
- . Neighborhoods need a say in what's allowed. N
- . And some neighborhoods don't want to okay any proposed use. D
- . But if neighborhood goals could be recorded, development would be easier. D

GROWTH PATTERNS AND ANNEXATION

The edge of most American cities is ragged and unkempt. Cheyenne is no exception. Undeveloped pockets of county land left behind as the city grows inhibit the development of neighborhood identity. Developers complain that homeowners at the edge want no growth, having moved to the edge to own a piece of the wide open spaces. Homeowners complain that growth is risky; developers build projects of scale and density and style incompatible with their own single family residences. The city mediates with planning authority one mile beyond the city limits, but boundary problems remain.

- . Vacant areas development is opposed by neighbors: "That's why we moved out here." D
- . Neighbors don't understand the planning and development process, don't understand Cheyenne's need for growth. D
- . Neighborhoods opt for no-growth attitudes. (Fed by predominant public employment base). D
- . The joint one-mile county-city jurisdiction works; people are conscientious in their joint responsibility. N
- . But there is a problem in differences in the statutes for county and ordinances for City. N
- . Cheyenne needs a way to grow without leaving pockets of county behind. N
- . Annexation policies are generally adhered to because they are fairly loose to begin with. P
- . The Planning Office gives annexation policy more attention than do others. P
- . Annexation policy does not address the preferred form of the city or the edge condition. P
- . County design standards are looser, more lenient than those of the city, which lead to annexation problems. P

TRAFFIC

The automobile and the truck are indispensable, but too many in the wrong place can quickly damage the quality of life in neighborhoods. Town Meeting discussions frequently touched on traffic, and parking, and one-way streets.

- . How do we respond to the car? Where do we put them? N
- . Parking requirements should be suited to each area, to each use. N
- . Good neighborhoods have low levels of auto traffic. N
- . I want to park in front of my home! N

- . Provide more parking for state employees, then make them use it. N
- . Neighborhood businesses are ok if they don't greatly increase auto traffic. N
- . Excessive traffic is a problem in old, hard-to-preserve neighborhoods. N
- . Traffic impacts are often used as a last resort by neighbors to obtain project review; a scapegoat. P
- . Staff and decision makers disagree as to traffic plans. P
- . There is a scale-of-project threshold that triggers the requirement for a traffic impact study. P
- . Add more one-ways. N
- . The one-way couplet for 19th and 20th streets was never fully developed. There are no plans for additional couplets or abandonment of existing ones. P
- . Take out the one-ways. N
- . Traffic is not severe by urban comparisons. Design standards for local and collector streets are presently being developed. P

PUBLIC LANDS, DEDICATIONS, AND EASEMENTS

A large segment of any neighborhood is made up of streets, sidewalks, parking strips, and drainage ways. These are public lands; their design and maintenance can add to the aesthetic value of communities, or reduce it. An easy example of public contribution benefiting older neighborhoods is the tree-lined parking strip which defines and enhances the visual quality of the street, and which separates pedestrians from vehicles. Such streetscapes in older sections of Cheyenne were put in place as a result of public policy. There is not now such policy for new developments.

- . Save the trees! N
- . How do we make sure adequate sidewalks happen in new developments? N
- . Subdivision improvements agreements are not now in use beyond construction standards requirements. P

- . And more alleys (and paved alleys). N
- . The City has trouble keeping up with its physical responsibilities; it is not wild about alleys. P
- . The city is strapped to maintain dedicated land. P
- . Easements become no-man's land. N
- . Easements are used primarily for utilities and drainage, only secondarily for access. P
- . The public is confused about easements control and fencing and legal status. P
- . Easements are reviewed by staff and city as a technical or engineering issue, not as a design opportunity. P
- . City Forester has a manual for operations, but it is not design oriented. The office is understaffed for an active program of streetscaping. P
- . There is no push or plan for Right Of Way tree types or placement. Some people regard trees as problems, not assets. P
- . Design leadership on city land is not a high priority amongst decision makers. P
- . There is no overall master plan to guide new street layouts. P

THE PERMITTING PROCESS

Developments other than the smallest projects require extensive review by city staff and decision-makers. Such review, the permitting process, is necessary to insure that ordinance and policy are fully met and carried out. Developers complain that permitting requires too much time and trouble, that necessary paperwork is no measure of project quality. Neighbors, on the other hand, want increased participation in the review of developments in their neighborhoods.

- . Maybe permitting needs to be a long drawn-out process to insure neighborhood participation. N

- . Don't make it difficult to develop with excessive regulation. N
- . The whole review process drags on too long. It's hard for folks to keep their neighborhood energies up, especially when issues keep getting tabled. N
- . Staff and officials cost developers big bucks with processing delays. D
- . Permit approvals take too long. The process is too complex. D
- . Paperwork doesn't necessarily mean better work. D
- . The process is a road block to those trying to do good work. D
- . Requests are too frequently killed on technicalities. D
- . Developers or their agents can contact agencies informally and are mailed copies of agency reports. P
- . Agencies for each type of permit are listed in a free "Guide to Planning." P
- . Rules say a project is approved if agency review is not in on time, but in reality serious issues are brought up later. P
- . Last-minute compromises between an agency and a developer must be held to a minimum because neighborhoods are not involved. P
- . Public bodies need to be able to negotiate, compromise, and make informal agreements with developers. N
- . Initial notification is given to neighbors for board or commission hearings, but none is given for additional hearings. P
- . An interagency meeting is held twice a month, 10 days before the Planning Commission Hearings. Applicants are invited. Problem: some agencies have spotty attendance. Because of timing, planning staff is not as prepared as would be desirable (two days to catch up with new load following last commission presentation). The meeting is not working as intended. P
- . Agencies don't always comment, or comment too late, making the Planning Office look bad. P
- . Different levels of government don't talk to each other, and don't say the same thing. N
- . The Planning Office can mediate inter-agency disagreements, but has no supervisory role. P

CONSISTENT AND CLEAR AND FAIRLY APPLIED RULES

This issue, like the preceding Permitting Process, is tangential to neighborhood conservation. Both, however, need careful review to encourage quality projects that fit neighborhood contexts. A recently completed parallel study "Cheyenne-Laramie County Housing and Land Development Policy Review and Analysis" covers in detail all such aspects of the review of new developments. All citizens in the discussions of neighborhood conservation were in absolute accord that no plan or policy or program will be effective without consistent and clear and fairly applied rules.

- . Need once-and-for-all decision points where a defeated application is dead and stays dead. Need a time limit on resubmittals. N
- . The perception of fairness of the permitting process is critical to communications between developers and neighborhoods. P
- . Review is based on ordinance and policy. Too often decision-makers are prone to disregard both for political expediency. P
- . Developers are blackmailed into fixing problems not directly associated with the project in review. D
- . The city doesn't give final okays; it keeps making more requests of the developer. D
- . And the city uses rules no one knows about. D
- . And keeps changing the rules, applying them retroactively. D
- . Rules force cadillac projects that people can't afford. D
- . Officials don't follow rule-based recommendations of staff. D
- . And no-one at city hall seems to listen to anyone. D
- . Planning Office reports need to be clear to the average citizen to make a reputation for consistency. N
- . How do you get predictability out of neighborhoods as well as out of developers? N
- . Needed: Legal ads and postings that say more and say it easier. N
- . Developers are small businesses in our city. They deserve fair treatment just like any other business. N

AGREEMENTS ENFORCEMENT

Enforcement of agreements made during the permitting process is at the least a perceived problem for Cheyenne. Many citizens indicated little faith that either the city or the county would properly enforce either the zoning ordinance or the agreements made in more detailed permitting processes such as planned unit developments. One person succinctly framed the issue: "If the city makes a policy, it should act on it."

- . A change of consultants to developer can change a project. It should be possible to demand some dependability in project agreements. N
- . Variances are encouraged by politicians in the county as a way around violations and nonconforming uses. P
- . The recent conditional permits inspection was run by the Planning Office, not by the Enforcement Office which should have done it. P
- . Inconsistent city enforcement throws bad-developer blame on all developers. D
- . It is important that one board communicate to another the reasons that were thought important at decision-making. N
- . What's lacking is enforcement that is not fragmented or political. It's worse in the county than in the city. N
- . We don't need more rules, we need more enforcement. N
- . What happened to education and cooperation so enforcement isn't the only alternative? N
- . How can P.U.D. agreements be enforced? N
- . Prevent work without permits and the builder's gamble that the city won't stick to its guns. N
- . Why should neighborhoods have to make sure that development agreements are kept? N
- . Having these things crop up is different than buying into something - agreements have to be clear. N
- . The Zoning Enforcement Offices are understaffed and are not supported by decision makers. P
- . Enforcement, when it occurs, is by complaint only. P

PROJECT EVALUATION STANDARDS

The issue here is the difference between city and county standards for new developments. The growing city edge should be of the same quality as the rest of the city fabric. If it is not, second-class neighborhoods are the result, and annexation becomes either a hardship or a compromise.

- . We need to look at all aspects of the city. N
- . Controls? How do we define and maintain the good sense of what is Cheyenne? N
- . How do we get public input on standards of development rather than leaving it to the developers to say? N
- . City engineers need to listen to locals on issues like drainage. N
- . Standardized densities that are compatible with existing neighborhoods are needed. N
- . How do you visualize the future of a development? N
- . Detailed design criteria are not codified due to lack of widespread support. P
- . The Area Development Plan contains good general design standards. P
- . The county has fewer and more lenient standards than the city, which leads to trouble at annexation. P
- . The city is unwilling to try new ideas; bigger issues are lost in nit-picking. D

DEVELOPER / NEIGHBORHOOD COMMUNICATIONS

The neighborhoods want to be heard by those making decisions for their neighborhood future. The developers find neighborhoods a bother to their business. Developers admit the possible advantage of organized neighborhoods with which to work, but fear neighborhood power. Planners try to get neighborhoods and developers together early in the project, but are frustrated in their matchmaker's role by the absence of policy support.

- . People need plenty of space to air problems with new projects in their neighborhood. N

- . Negotiated agreements can be reached - but tight development budgets mean on one bad move you are out of business. D
- . Developer-neighborhood negotiation: Ongoing groups might be better than ad hoc groups formed solely in reaction to one project. D
- . Neighborhoods don't understand the costs of what is asked of developers. D
- . Neighborhoods should speak when in support of projects as well as in opposition. D
- . Who do you listen to for neighborhood positions? D
- . Problem: Neighbors don't know the permitting process. N
- . Get Planning Office involved in early developer-neighborhood meetings to prevent mob rule. N
- . Why not get neighborhood input before putting dollars into application? Fait accompli is hard to take. N
- . Neighbors are scared of developers, because they are protective about their biggest investment, their house. N
- . Neighbors need a say in what is allowed. N
- . More accuracy is needed in developer's project drawings. N
- . People need more forums and methods for being part of a process - constructively. N
- . The Planning Office notifies neighborhoods informally of projects under review. P
- . Formal immediate neighbors notification is required in the Zoning Ordinance. P
- . The Planning Office suggests to the developer that plans be presented to the neighborhood. P
- . There is no requirement to notify neighborhood organizations, just immediate neighbors. P
- . Neighborhoods should be involved in development but not have decision-making authority. D
- . Neighborhoods get involved only when they want to oppose development. D

BALANCE OF INTEREST IN GROWTH AND CHANGE DECISIONS

Developer, neighbor, staff, and decision-maker each has a vision of the fine neighborhood, the beautiful city. Each has a stake in Cheyenne, and a responsibility for its development. The balance between interests of the individual property owner, the neighborhood, and the city is difficult to strike, but Urban Design Associates is impressed that Cheyenne citizens participating in this project believe such a balance can be achieved.

- . The planning staff always makes recommendations, it is thus never neutral. P
- . The "Guide to Planning" is available and free. P
- . The Planning Office tries to balance neighborhood and broader city interests. P
- . Cheyenne needs a zoning process that protects neighborhoods yet allows growth. N
- . Remember the rights of the individual. N
- . Don't dictate too much what an owner can do with his property. We need within reason regulations. N
- . Preserve a balance between rights to use one's property and the impacts such use has on others. N
- . Neighborhoods don't always know what development will help or hurt their neighborhoods. P
- . City staff should remain neutral in the presentation of projects for city approval. D
- . The staff's role as regulator gets them pictured as nay-sayers. P
- . We need to get the black hat off the developer....and the city. D
- . The approvals process focuses on the negative, decisions too often are based on personal whim. D
- . Difficulties come in using policy not in ordinance, or stretching ordinance interpretations. P
- . City judgements are too often based on how many neighbors show up for a hearing. D

- . Decision makers are responsive to neighbors at hearings, especially close neighbors and a room full. P
- . And no one asks where the signatories to a petition live with respect to a proposed project. D
- . Some elements of courtesy zoning occur (area Councilmembers are given the lead in decisions at Council) but since there are three representatives per area, easy agreements are not common anyway. P
- . The staff often negotiates with an applicant, upholding city and neighborhood interests, before coming to hearings. P

AREA DEVELOPMENT PLAN IMPLEMENTATION

Neighborhood conservation begins with concerns for land use. This project is in many ways complementary to the land use policy so ably stated in the Area Development Plan. The Plan, only two years old and at the center of development controversy, will come to occupy a more secure station as Cheyenne policy with the completion of the revised zoning ordinance. At that time neighborhood conservation will take on new strength, and new possibilities.

- . There is little general public knowledge of the Area Development Plan. N
- . The Development Plan is fast becoming law when city staff wants to use it as such; policy shouldn't be used as ordinance. D
- . The Planning staff starts reviews with reference to the Development Plan. P
- . The legitimacy of the Plan is still questioned by some. P
- . At the Planning Office counter education is important, and on-going. P
- . The Development Plan is not typically amended after specific zone changes. The policy remains intact. P
- . The Development Plan is supposed to be reviewed four times/year for amendment. P
- . The Zoning Ordinance revisions now being considered will bring Ordinance and Plan closer together. P

NEIGHBORHOOD CONSERVATION PLAN



NEIGHBORHOOD CONSERVATION PLAN: PREFACE

Urban Design Associates was pleased to find in Cheyenne an impressive set of quality neighborhoods, both old and new - neighborhoods which fully justify this Neighborhood Conservation Program undertaking. From the many hours spent in meetings and workshops with residents of Cheyenne and from our own experience we have reached these conclusions:

First, we believe that strong neighborhood organizations are an essential ingredient for neighborhood conservation. Just the coming together by people to address common concerns is a community-building, stabilizing process. These organizations engage in monitoring the health of a neighborhood and represent a repository or memory of what has gone on in the area, thus allowing them to detect cumulative effects of many small incremental changes. They provide a forum for discussion and perhaps equally importantly an identifiable spokesperson or contact point for public officials or developers to use as a sounding board for various proposals. Finally, when organized, residents of a neighborhood are more thoughtful than when left to their own individual resources. More importantly, when seen as legitimate, neighborhood groups can relax, knowing they have been accepted, and present more reasonable positions.

Second, developers of property can play a most constructive role within a community and its constituent neighborhoods. They represent a bearer of resources, which can be put to work producing things the community needs - houses, stores, offices, etc. This increases the economic base of the community. In addition, they trigger change, which can lead to a healthy questioning of the taken-for-granted.

Third, public officials - elected and appointed - play a crucial role by their mandated charge of looking at the larger picture of what occurs as many smaller changes go on in different sections of the community. They have and exercise a responsibility to state publicly accepted principles and then make decisions justified by those principles. Finally, public officials bring to the policy-making and planning arena special technical expertise to facilitate those important public processes.

The proposed Cheyenne Neighborhood Conservation Plan is based on these conclusions. The Plan takes the form of twenty one recommendations which are mutually reinforcing within five sequential steps. The five steps are an integral part of the plan; they suggest a sequence of logical actions. The first step gives boundaries to the neighborhoods. Second are recommendations defining the qualities to be conserved. Following these are recommendations addressing the roles of each of the parties needed to carry out neighborhood conservation. Fourth are recommendations suggesting procedures to carry out neighborhood conservation. A fifth and final set of recommendations concern evaluation of the results of the program.

Costs associated with this Plan are administrative only, with the possible exception of requirements for design consultants in Recommendation 2.2, the preparation of individual neighborhood design guidelines.

STEP ONE

DEFINE NEIGHBORHOOD BOUNDARIES AND NAMES

EXISTING

Cheyenne is divided into 32 statistical areas based on census tract lines and 46 areas for the Area Development Plan, but these areas were construed for other issues and purposes than neighborhood conservation. There is not at the present a comprehensive set of neighborhood boundaries based on resident experiences and perceptions. The few neighborhoods which are organized and well defined tend to be older historic districts.

THE NEED

Neighborhoods need to be identified by boundaries throughout the city in order to foster neighborhood identification and organization, and to make easier the review of various city policies in support of the work of neighborhood conservation.

RECOMMENDATION 1.1

The Planning Office should initiate a broadly participatory project to define neighborhood names and boundaries.

The objective is a map of named neighborhoods. The goal is maximum consensus for each neighborhood that indeed it is fairly named and bounded. It is important that existing perceptions be the starting point in the search for consensus.

Surveys in conjunction with area workshops are a useful approach to the problem. Surveys might simply ask residents to draw their neighborhood boundary as they see it. Workshops take the next step and explore in dialogue possible agreements. Preliminary maps published in the newspapers should gain further comment. A final city-wide public meeting would be useful in making final boundary line judgements.

Temptations by city staff or officials to draw lines without public meetings and neighborhood participation should be avoided. Also to be avoided is neighborhood definition by some demographic homogeneity such as age, ethnicity or income.

The result of the project should be a mapping tool useful in the next steps of the Conservation Program.

STEP TWO

DEFINE NEIGHBORHOOD QUALITIES TO BE PRESERVED AND ENHANCED

EXISTING

The Area Development Plan is in place as a base for neighborhood conservation. Other comprehensive plans are also in place but were not necessarily drawn with neighborhood conservation in mind.

THE NEED

There is need for better community understanding of the comprehensive plans, and as neighborhoods are ready there is need for further definition of the physical character to be conserved for each neighborhood

RECOMMENDATION 2.1

The Planning Office should assign a senior staff person as Planner for the Neighborhood Conservation Program.

Successful implementation for any program requires steady pressure and leadership. Designation of a senior person responsible for the Program should help make conservation a reality. It will also clearly express the significance of the Neighborhood Conservation Plan after acceptance by Council as Cheyenne policy.

RECOMMENDATION 2.2

The Planning Office, with support from the advisory committee for the Area Development Plan, should produce with each neighborhood as it is ready individualized Neighborhood Design Guidelines.

The Area Development Plan is sound policy in this direction but it is a city-wide document; its primary purpose is land use policy to be reflected in the new zoning ordinance. Neighborhood Design Guidelines would deal with finer grained issues of compatibility and integrity. This recommendation joins in intent Recommendation 3.2, the determination by neighborhoods of assets and goals, and Recommendation 3.4, the developer's response to particular neighborhood contexts.

The production of Neighborhood Design Guidelines with neighborhood participation serves also the interests of the city in public education. While citizens at workshops convey to planners or consultants the essence and goals of their neighborhood, they can be provided at the same time with information concerning city policies and procedures.

Design guidelines, in comparison to policy and ordinances, provide assistance to developers in responding to particular neighborhood conditions, concerns, and landmarks. Guidelines typically develop, street by street, characteristics such as building heights, massing, scale, and materials; streetscape, setbacks, frontage relationships, landscape, signage, and open space; and provisions for parking, curb cuts, and buffers.

The need and readiness for this major investment in time and money (for planners or consultants) varies greatly amongst Cheyenne's neighborhoods, and should only be undertaken with neighborhoods firmly committed to their own improvement.

This recommendation is expensive, and is amongst the various recommendation of this Plan the only one requiring the commitment of major City resources.

RECOMMENDATION 2.3

The Cheyenne comprehensive plans -- Capital Expenditure, Traffic, Annexation, and Parks and Recreation -- should be reviewed by their advisory committees to determine their impacts on neighborhood conservation.

Each of these plans together with the Area Development Plan bears major relationship to neighborhood conservation. Heavy traffic through a neighborhood, for instance, is disruptive; that same traffic route between neighborhoods can reinforce a mutual boundary, and be supportive. Capital expenditures in the center of a neighborhood reinforce its identity. Facilities serving two neighborhoods, on the other hand, generally serve best if placed between them. The same logic applies to Parks and Recreation plans. Annexation in somewhat different fashion can support newly developing neighborhoods at the edge of the urban area with policy that encourages orderly expansion without leaving pockets of undeveloped land, and without excessive leap-frogging.

Council with the advisory committees and with planning staff support should carefully review each plan in this Phase Two of the Neighborhood Conservation Plan.

STEP THREE

IDENTIFY THE CONSERVATORS AND THEIR TASKS

EXISTING

Neighborhoods in Cheyenne tend to organize only as an ad hoc response to a perceived problem. Not well informed about existing plans and ordinances, neighborhoods typically view developers and change as threats to neighborhood values. In addition, they are not particularly confident that elected officials will act in the neighborhoods' interest with respect to development proposals.

Developers in Cheyenne are generally small local businesses, but larger out-of-town developers come to Cheyenne in good economic times. Just as the neighborhood is suspicious of the developer, the developer tends to see the neighborhood as a time-consuming and costly foe to be avoided when possible. Developers resent being cast as the "black hatted" character. Finally, this group often distrusts city staff and officials, viewing them as unnecessary and arbitrary hurdles; developers ask for clear and consistent rules.

Staff are frustrated in their efforts at building neighborhood-developer communication. Staff also perceive some lack of support from decision-makers, especially in the enforcement of plans, policies, and agreements.

Decision-makers are viewed as emphasizing political concerns over adherence to policy. The immediate effect of a particular decision appears to take precedence over long term concerns for the future.

THE NEED

Effective communication, based on mutual respect amongst all parties, needs to be developed if the generally agreed upon goal of a finer city to live in and enjoy is to have any real meaning or chance of implementation.

FOR NEIGHBORHOODS

RECOMMENDATION 3.1

City Council should pass a Neighborhood Notification Ordinance.

Though the primary responsibility for getting neighborhoods organized rests with residents, the city should encourage this process. Included in such an ordinance is formal recognition of organized neighborhoods, and notification of the neighborhood organization when certain actions affecting the neighborhood are pending. This ordinance does not

replace the immediate neighbor notification required of certain developments under the Zoning Ordinance; it is complementary with notification of the neighborhood. Neighborhood notification is typically a separate ordinance to allow notification for proposed actions other than land use development.

An example for consideration is Appendix D, Denver's Notification Ordinance. A neighborhood organization registers with the city by providing the organization name, boundaries, and contact person's name, address and phone number. When certain actions such as liquor license applications or rezoning are proposed, a copy of the application submitted is automatically sent to that contact person.

RECOMMENDATION 3.2

Each Cheyenne neighborhood should identify quite precisely its assets and its goals for the future, especially as these might relate to the Area Development Plan.

Where issues span neighborhood boundaries, efforts at inter-neighborhood dialogue and coordination should be made. Neighborhoods can and should actively suggest development proposals which are good for the neighborhood just as they oppose ones not appropriate for the area. Beyond this, neighborhoods might even want to seek developers to do projects the residents feel are needed.

FOR DEVELOPERS

RECOMMENDATION 3.3

Developers should understand the need to work with neighborhood organizations, and should initiate communications with these groups before plans are finalized.

The kind of communication between neighborhood and developer which has been found to be useful elsewhere is an initial meeting to be held with a committee from the neighborhood organization at the point when the developer has only a concept in mind. A low-key and productive conversation about a proposed development is possible if general concepts are discussed first, without plans or drawings, and without specifics fully settled, such as number of dwelling units or architectural style. This makes it much easier for the developer to hear residents' concerns and respond to them non-defensively. If the neighborhood has goals articulated and on paper, these should be given to the developer. After this kind of initial meeting the developer can then proceed, knowing if the plan will be opposed and why, or that it's acceptable as a concept, or that it's perhaps acceptable if some concerns of the residents can be satisfactorily addressed. This initial neighborhood response can be obtained before expensive architectural work has been done.

RECOMMENDATION 3.4

Developers should work toward projects that fit neighborhood contexts.

If neighborhoods have clearly stated goals, and if design guidelines are in place, developers can respond directly to these visions with projects that fit the neighborhood and that will gain acceptance. If goals and guidelines are not available, this checklist will be useful for neighborhood context evaluation.

- . Heights
- . Setbacks
- . Curb cuts and parking
- . Open space
- . Buffers
- . Streetscape
- . Building entry-to-street relationships
- . Signage
- . Building bulk and scale
- . Building materials
- . Landscape

Developers can help their own cause by having their architects and engineers prepare graphic documents showing the fit between their proposed projects and existing conditions. Showing development plans on 1" = 100' aerial photos is an advisable step to help neighbors see the proposed project more clearly.

FOR CITY STAFF

RECOMMENDATION 3.5

The city should continue its support for historical preservation.

Though the State Historical Society and the State Historic Preservation Officer are officed in Cheyenne, Cheyenne does not have its own historical society. Staff should encourage its organization. Another step which should be considered is the use of conservation zoning overlays to protect districts which have exhibited pride and organization yet do not qualify for the National Register. An ordinance example from Albuquerque is included for reference as Appendix E. Additional historic districts can also be designated and would serve to increase the community's pride in its heritage. Likely candidates are the Pioneer Park area north of downtown, the South Side industrial area, and the 15th-16th Street warehouse district. Finally, the city could purchase plaques for historic buildings, especially in the downtown area, that would include short histories of the buildings. Obtaining Certified Local Government status will be a major assist in promoting historic preservation.

RECOMMENDATION 3.6

The Planning Office should initiate a project to create or strengthen connections among Cheyenne neighborhoods.

Connections are an essential element of conservation; they are the seams between neighborhoods, and the arteries that connect one neighborhood to another, and the public facilities that bind the city together. The development of neighborhood edges and linkages such as boulevards, parkways, greenbelts, and drainage ways is an integral support to neighborhood identity. The goal of connections for Cheyenne is the articulation of neighborhoods without isolation.

A connections study by the Planning Office would parallel and join the review of Cheyenne's Comprehensive Plan suggested in Recommendation 2.2.

RECOMMENDATION 3.7

Standards designating preferred tree species within street Rights Of Way should be promulgated.

Trees along side street and boulevard alike are important to the character and quality and integrity of neighborhoods. Though planted and tended typically by adjacent landowners, trees within the street right of way are subject to design control by the city. Tree species should be specified for Cheyenne that require little water and that will survive. Tree placement standards should recognize distinctions and growth patterns of the recommended species. The City Forester's role is predominantly park tree maintenance; the role should be expanded to active concern for neighborhood conservation and development.

RECOMMENDATION 3.8

Standards for street layout and for sidewalk location should be reviewed for the guidance of new development design.

This recommendation addresses the need for design guidance at the edge of the city to insure orderly and cohesive neighborhood growth. Growth for Western cities was once accommodated house-by-house with the extension of an earlier platted street grid. The original plat of Cheyenne has long been completed with this form of expansion. Sidewalks were typically mandated within the street right of way with the back of the sidewalk against the property line and a planting strip between the sidewalk and the street. The consultants urge that this street grid system with separated sidewalks be extended in new developments except as terrain requires adjustment of the grid. Guidelines for developers should prevent enclaves with "lost" streets and no sidewalks. The pattern of streets and sidewalks is an important factor in the quality of growing neighborhoods at the edge of the city. There should be no neighborhoods shortchanged in the quality of the public lands which serve them.

RECOMMENDATION 3.9

The Planning Office should make available staff as facilitators of neighborhood-developer interaction.

The Planning office has been the primary force for neighborhood conservation. As others join this effort the Planning Office will be in a position to help with facilitation.

It is vitally important, however, that the Planning Staff interject themselves into the middle of the neighborhood-developer relationship only when one or both of the parties requests this assistance. Some of the functions the staff can fulfill in this facilitator role are:

- . Being a neutral, perhaps calming, influence.
- . Creating a small group setting in which each party can clearly state its views.
- . Orchestrating the discussion or playing "traffic cop" so everyone has fair chance for self-expression.
- . Encouraging non-defensive, non-adversarial conversation
- . Serving as a repository of specific knowledge about existing plans, policies, ordinances, regulations, etc.
- . Answering questions and bringing information to the group.
- . Raising questions about the relationship of property developments to other plans or to city-wide concerns.

FOR CITY DECISION-MAKERS

RECOMMENDATION 3.10

Decision-makers should continue support for their appointed staff.

It is important that all who guide the city in its development share understanding of current issues and opportunities and policies.

This recommendation suggests that decision-makers consider and strengthen their support for staff recommendations, especially when recommendations are based on existing ordinances or established policies. Two areas in which it is crucial that decision-makers back staff is in the enforcement of agreements attached to specific developments, and in the enforcement of existing ordinances.

RECOMMENDATION 3.11

The City should urge the County to adopt design standards for new developments equal to those of the design standards of the City for developments within three miles of the City Limit.

Cheyenne City Council members and Laramie County Commissioners share many common concerns at the edge of the city. This suggested congruence of standards would ease later problems that might develop during annexation, and would help prevent the creation of second class neighborhoods just over the city line.

RECOMMENDATION 3.12

The City should encourage infill of vacant lands within the Cheyenne city limits before new development beyond in the County.

The value of this recommendation for neighborhood consolidation is addressed in several other recommendations as well. Large tracts of vacant land provide useful open space, but at a questionable price. Orderly expansion of the city is effective in holding down the costs for city infrastructure as well as in assisting conservation. Policy might include selective tap fees for utilities and other inducements such as flexibility in granting variances to make infill development attractive.

STEP FOUR

CARRY OUT NEIGHBORHOOD CONSERVATION

EXISTING

The city's present planning and permitting process leaves many parties dissatisfied. Developers seek a fair evaluation of their proposals, but experience uneven reliance on policy rather than on ordinance. Planners say all review starts with the Area Development Plan, but goes downhill thereafter. Neighborhoods don't really know what's going on, and feel vulnerable. Decision-makers have policies on the books but also have to operate within a political arena of pressures and counter-pressures.

THE NEED

Community wide understanding and acceptance amongst all parties of city policies affecting development clearly is needed.

RECOMMENDATION 4.1

The pending proposals for a new Zoning Ordinance should be supported.

The existing Zoning Ordinance was borrowed from another city; it does not fit Cheyenne. The new Zoning Ordinance, carefully tailored to the two-year old Area Development Plan, will be a primary tool in The Program for Neighborhood Conservation.

RECOMMENDATION 4.2

Permitting processes should be reviewed for effectiveness, efficiency, and fairness.

This recommendation is the primary subject of a project recently completed, "Cheyenne-Laramie County Housing and Land Development Policy Review and Analysis." Adoption of the proposed Zoning Ordinance revisions will also in all likelihood necessitate changes in the existing permitting processes in the direction of simplification and clarification. The general need is for a stepped system of approvals of applications in which the applicant's time and money expenditure for consultant services is proportional to the level of approval sought. What this recommendation seeks to curtail is a situation in which an applicant must make major expenditures in order to obtain preliminary approvals and thus has, in effect, made commitments which the applicant is understandably reluctant to alter.

STEP FIVE EVALUATE THE RESULTS

EXISTING

Planning as a public function is still relatively new to Cheyenne. Apparent tension exists between staff pushing for stronger controls and many in the community holding back, not so much denying policies as disregarding them.

THE NEED

Simply stated, planning policy once approved by Council or Commissioners must be matched with a commitment to act within such policy.

RECOMMENDATION 5.1

Council should create a standing Advisory Committee for Neighborhood Conservation.

Functions of a Neighborhood Conservation Committee:

- . Conduct an annual review of progress in enacting a Neighborhood Conservation Plan;
- . Act as ombudsman for complaints that city policy or process is contrary to neighborhood conservation efforts;
- . Educate the community with respect to policies, ordinances, and processes which aid neighborhood conservation; and
- . Monitor enforcement efforts.

RECOMMENDATION 5.2

Council should adhere to the mandate in existing policy that city plans be periodically reviewed in public hearings.

Cheyenne policy embodied in the Development, Capital, Traffic, Annexation, and Parks and Recreation Plans affects directly neighborhood conservation. This final general recommendation assures the currency of the Plans and publicizes their contents.

APPENDICES



A. UNEDITED TOWN MEETING NOTES

TOWN MEETING NOTES: THE PROCESS

- . WHY 8-18 APPROVALS FOR REVIEWS?
- . HOW DO WE RESPOND TO THE CAR? WHERE DO WE PUT THEM?
- . NEED TO LOOK AT ALL ASPECTS OF THE CITY
- . CONTROLS? HOW DO WE DEFINE AND MAINTAIN THE GOOD SENSE OF WHAT IS CHEYENNE?
- . NEED A ZONING PROCESS TO PROTECT NEIGHBORHOODS AND YET ALLOW GROWTH
- . HOW DO YOU RESPOND TO EXISTING USES IN THE FUTURE FOR NEIGHBORHOODS?
- . PLAN AND STICK TO IT - ALLOW "GRANDFATHERING" OR CITY TAKE THE EXPENSE OF MOVING.
- . APPROPRIATENESS OF CONDITIONAL USE PERMITS
- . PROBLEM: UNDERSTANDING THE PROCESS - NEIGHBORS DON'T KNOW
- . REMEMBER RIGHTS OF INDIVIDUAL
- . OBJECT TO DEVELOPERS BEING ON DECISION MAKING PANELS - DOLLAR ISSUES BECOME TOO LARGE A CONCERN OVER OTHER MORE IMPORTANT PLANNING ISSUES
- . BOARDS: MAKE UP FROM A VARIETY OF CITIZENS - INCLUDING BUILDERS/DEVELOPERS
- . HOW DO WE GET PUBLIC INPUT ON STANDARDS OF DEVELOPMENT RATHER THAN LEAVING IT TO THE DEVELOPER TO SAY HOW?
- . JOINT 1 MILE AREA? IT WORKS - PEOPLE ARE CONSCIENTIOUS ABOUT JOINT RESPONSIBILITY
- . IMPORTANCE OF COMMUNICATION FROM ONE BOARD TO ANOTHER OF REASONS THAT WERE THOUGHT IMPORTANT IN MAKING DECISIONS AT THE TIME
- . PROBLEM OF STATE STATUTES FOR COUNTY OVERRIDING LOCAL RULES

- . DON'T DICTATE TOO MUCH WHAT OWNER CAN DO WITH PROPERTY. "WITHIN REASON" REGULATIONS NEEDED
- . PROCESS IS MEANT TO OBTAIN QUALITY - WHAT'S LACKING IS ENFORCEMENT WHICH IS FRAGMENTED OR POLITICAL. MORE A PROBLEM IN COUNTY.
- . PERMITTING MAYBE NEEDS TO BE LONG AND DRAWN OUT TO ASSURE NEIGHBORHOOD INPUT
- . DON'T MAKE IT DIFFICULT TO DEVELOP BY EXCESSIVE REGULATION
- . PUBLIC BODIES NEED TO BE ABLE TO NEGOTIATE, COMPROMISE, MAKE INFORMAL AGREEMENTS "WITH CONSISTENCY"
- . EMOTIONAL CONTENT HARD TO DEAL WITH
- . GET PLANNING OFFICE INVOLVED IN EARLY DEVELOPER-NEIGHBORHOOD MEETINGS TO PREVENT MOB RULE, TO CLARIFY WHAT PROCESS IS, ANSWER QUESTIONS
- . DEVELOPER SHOULDN'T HAVE TO PLAY "GOVERNMENT REPRESENTATIVE"
- . ENCOURAGE MORE DEVELOPERS TO SEE PROJECT THROUGH ALL PHASES, TO STICK AROUND
- . ENFORCEMENT PERSON NOT VISIBLE, NOT SUFFICIENT - DON'T NEED MORE RULES, JUST ENFORCEMENT
- . DIFFERENT LEVELS OF GOVERNMENT DON'T TALK TO EACH OTHER AND ARE NOT SAYING THE SAME THING
- . PLANNING OFFICE REPORT NEEDS TO BE CLEARER SO AVERAGE CITIZEN UNDERSTANDS AND DOESN'T CONCLUDE IT'S INCONSISTENT
- . ALL SIDES CAN GET EMOTIONAL
- . SOME CITY & STATE LAWS ARE NOT COMPLIMENTARY
- . WHAT HAPPENED TO EDUCATION & COOPERATION SO ENFORCEMENT ISN'T ONLY ALTERNATIVE? WHOSE RESPONSIBILITY IS EDUCATION? SHOULD IT HAPPEN ONLY WHERE THERE'S CRISIS NEXT DOOR?
- . SOME AGREEMENTS GET UPDATED WHEN PROPERTY IS SOLD
- . CHANGE OF CONSULTANTS CAN CHANGE PROJECT - SHOULD BE POSSIBLE TO RETAIN SAME PLAN TO GET SAME RESULT

- . NEED MORE THAN ONE PUBLICATION OF CHANGES
- . WHY DOES LOCAL ZONING ORDINANCE EXEMPT STATE & FEDS (E.G., PARKING)?
- . HOW TO ENFORCE PUD DEVELOPMENT MAINTAINANCE AGREEMENTS
- . HOW TO ENFORCE ANYTHING!
- . PROBLEMS OF CONDITIONS ON FINAL ACTIONS - WHO ENFORCES?
- . ENFORCEMENTS - WHAT DO YOU DO WHEN PROJECT IS HALF FINISHED?
- . CAN YOU GET PUBLIC INPUT PRIOR TO APPLICATION? WHY NOT ASK BEFORE COMMITTING DOLLARS. "FAIT ACCOMPLI" IS HARD TO TAKE
- . MAINTENANCE OF LANDSCAPES CAN BE REQUIRED BY OFFICIALS
- . HOW DO YOU FINE TUNE COMPATIBILITY?
- . INFORMATION ABOUT HOW TO GIVE PUBLIC INPUT NOT MADE CLEAR
- . NEIGHBORS ARE SCARED OF DEVELOPERS - PROTECTIVE ABOUT BIGGEST INVESTMENT. SCARED TO GET UP AND TALK AT MEETINGS
- . PERMITS NEED "TEETH" TO HAVE ENFORCEMENT. PERHAPS FINES
- . NEED PROVISION TO REVERSE ACTION IF UNDERTAKEN WITHOUT APPROVAL
- . DEVELOPER MIGHT GAMBLE ON BEING ABLE TO AFFORD PROCESS WHEREAS NEIGHBORS CAN'T--- CONSISTENCY OF RULES NEEDED ---YIELDS MORE PREDICTABILITY
- . HOW DO YOU GET PREDICTABILITY OUT OF NEIGHBORHOODS AS WELL AS DEVELOPERS?
- . PREVENT 'STAKE DRIVING' AND THE GAMBLE THAT CITY WON'T STICK TO THEIR GUNS
- . NEIGHBORHOODS NEED SAY IN WHAT'S ALLOWED
- . WHY NOT USES IN RESIDENTIAL NEIGHBORHOODS THAT ARE TRULY LOCALLY ORIENTED?
- . HOW DO YOU HELP PEOPLE UNDERSTAND WHAT IS GOING ON?
- . CITY SHOULD UTILIZE INDEPENDENT APPRAISERS

- . RESIDENTS NEED TO HEAR DEVELOPER'S IDEAS EARLIER SO DEVELOPER CAN MEET CONCERNS OF RESIDENTS.
- . PROFILES OF NEIGHBORHOODS NEED DEVELOPMENT
- . POSTING COULD BE LARGER AND MORE EASILY READ AND TELL MORE
- . CITY ENGINEERS NEED TO LISTEN TO LOCALS ON ISSUES LIKE DRAINAGE
- . ENFORCEMENT OF PLANNED UNIT DEVELOPMENTS -- WHY SHOULD NEIGHBORS HAVE TO DO IT?
- . WHOLE REVIEW PROCESS DRAGS ON TOO LONG --HARD FOR FOLKS TO KEEP ENERGY UP - ESPECIALLY WHEN THINGS ARE TABLED
- . NEED "ONCE & FOR ALL" DECISIONS & POINTS WHERE A DEFEATED APPLICATION IS DEAD AND STAYS DEAD! TIME LIMIT ON RESUBMITTALS NEEDED
- . CITY SHOULD LET NEIGHBORHOODS KNOW THAT RETENTION PONDS CAN BE DEVELOPED INTO PARKS
- . CLOSER INSPECTION OF INFORMATION IN PLATS -- BE SURE THEY AREN'T CHANGED WITHOUT PROPER PROCEDURE
- . MORE ACCURACY IN DEVELOPER'S RENDERINGS NEEDED
- . LEGAL ADS THAT ARE MORE EASLIY READ & MORE VISIBLE NEEDED
- . BETTER NOTIFICATION IN GENERAL
- . PARKING REQUIREMENTS SHOULD BE SUITED TO AREA - PERHAPS MINIMUM LOT SIZE FOR EACH USE
- . ENFORCEMENT PROBLEMS OF NON-COMPLYING USE -- MORE ENFORCEMENT NEEDED
- . HAVING THINGS CROP UP IS DIFFERENT THAN BUYING INTO SOMETHING
- . STANDARDIZED DENSITIES THAT ARE COMPATIBLE WITH EXISTING AREAS NEEDED
- . PROBLEMS WITH AGGREGATING IMPACTS OF SMALL DEVELOPMENTS
- . HOW DO YOU VISUALIZE THE FUTURE OF A DEVELOPMENT?
- . PEOPLE NEED MORE FORUMS/METHODS FOR BEING PART OF A PROCESS - CONSTRUCTIVELY "SOMETIMES THE HOMEOWNERS ARE FRIGHTENED OF THE DEVELOPERS"

- . PLENTY OF SPACE TO AIR PROBLEMS WITH DEVELOPERS
- . "WE MADE A DEAL TO CARRY THE PETITION IF SHE WOULD CLEAN UP...." NEIGHBORS CAN TRADE
- . PROVIDE MORE DETAILS ON INTITAL APPLICATIONS POSTING AND LEGAL NOTICES SO NEIGHBORS KNOW WHAT'S GOING TO OCCUR
- . HOW DO YOU KEEP THE PROJECTS FROM EVOLVING TO A NEW AND UNDESIREED USE?
- . "IF YOU DON'T LET ME PUT THESE UP I'M GOING TO SELL THE LAND TO HUD"
--- THREATS BECOME A PROBLEM - HOW DO YOU PROTECT NEIGHBORHOOD PROPERTY GIVEN SUCH THREATS?
- . BE SURE ANNUAL CHECK OF CONDITIONAL USE PERMITS OCCURS, INCLUDING REVIEW OF THE USE
- . HOW OFTEN IS BONDING FOR PERFORMANCE REQUIRED IN OTHER CITIES

TOWN MEETING NOTES: PRESERVE

- . LAND VALUES CHEAP ENOUGH TO ALLOW MARGINAL BUSINESS
- . NEED PLACES THAT ARE DIRTY. IT IS A NECESSARY ACTIVITY IN SOCIETY
- . ATTRACTIVE RESIDENTIAL AREAS SEPARATE FROM ABOVE
- . DESIGN CHARACTERISTICS OF NEIGHBORHOOD E.G., GAS STATIONS THAT FIT
- . A GROWING SENSE OF PRIDE IN SOUTH CHEYENNE - NURTURE IT
- . COLONADE OF LARGE, OLD TREES - HARDER WITH LARGE DEVELOPMENTS
- . AREAS CLEARLY DEFINED AS RESIDENTIAL
- . SCALE OF CONSTRUCTION AND MATERIALS SIMILARITY
- . STABILITY OF RESIDENTS
- . CULTURAL DIVERSITY
- . HISTORIC CHARACTER - DESIGN BECOMES INTEGRAL TO NEIGHBORHOOD IDENTITY
- . NEIGHBORHOOD INTEGRITY (DOES THIS MEAN NOBODY BUT SINGLE FAMILY DWELLINGS?)
- . LOW LEVEL OF TRAFFIC
- . RESIDENTIAL DENSITY OF NEIGHBORHOOD
- . UNIQUENESS OF OLDER HOMES
- . KEEPING PEOPLE LIVING THERE
- . KEEPING SINGLE FAMILY HOMES
- . HISTORIC CHARACTER OF CHEYENNE - DOWNTOWN AND OTHER NEIGHBORHOODS
- . HAVING A HOME IN A NEIGHBORHOOD THAT IS THREATENED IS A COST - SOMETHING TO BE CALCULATED
- . KEEPING NEIGHBORHOOD CHARACTER AS IT IS - KIND OF BUILDINGS - MIGHT NOT HAVE TO BE RESIDENTIAL USES BUT SHOULD LOOK SIMILAR

- . ABILITY TO PARK IN FRONT OF ONE'S HOME
- . SAVE THE TREES!
- . FEELING OF NEIGHBORHOOD (TEXTURE) INCLUDING CHURCH PARKING LOT AND TREES
- . DEVELOPMENTS FRONTING THE STREET AS PART OF TRADITIONAL NEIGHBORHOOD CONTEXT
- . "THE NEIGHBORHOOD WAS NOT CHANGED" (BY SMALL BUSINESS)
- . "WE'VE GOT TO MAINTAIN IT" (THE QUALITY OF THE STREET)
- . POSITION OF CITY ARBORIST
- . NEIGHBORHOOD SCHOOL (AS OPPOSED TO BUSSING)
- . PROPERTY VALUES
- . NEIGHBORHOOD INTEGRITY
- . MIXED USE CAN BE OKAY IF DONE RIGHT WITH COMPATIBILITY
- . RETENTION POND MAINTENANCE
- . BALANCE BETWEEN RIGHTS TO USE ONE'S PROPERTY AND WHAT IMPACTS IT HAS ON OTHERS
- . STREET ACTIVITY AT RESIDENTIAL LEVELS
- . MOVEMENT IMPROVEMENT BY ONE-WAY STREETS ---ONE-WAYS ALSO CAME WITH END OF ALTERNATE SIDE PARKING
- . PEOPLE / NEIGHBORHOOD ATMOSPHERE WE GO HOME TO RELAX WITH
- . PROPERTY VALUES
- . EXISTING DENSITY --- KEEP IT LOW
- . "IT'S ONLY AS GOOD AS THOSE WHO MAINTAIN IT" (APARTMENTS)

TOWN MEETING NOTES: WHAT TO ADD

- . MORE PARKING FOR STATE EMPLOYEES WHICH THEY MUST USE (KEEP CARS OUT OF NEIGHBORHOODS)
- . CONTROLS FOR TRAFFIC FLOW IN HIGH TRAFFIC AREAS
- . ADEQUATE SIDEWALKS FOR NEW DEVELOPMENT
- . PROVISIONS FOR RECREATION VEHICLE PARKING
- . WAY TO DEAL WITH HOMES HAVING MANY VEHICLES
- . PROGRAM FOR RENOVATION OF OLDER PROPERTIES
- . DESIGN FEATURES TO OPEN UP IN WINTER - LIGHTING EVERGREENS - WARM COLORS
- . STREETS PLOWED
- . COMPATIBLE DEVELOPMENT
—— SIZE, SCALE, BULK, DENSITY, MATERIALS
- . PARK/OPEN SPACE
- . SENSE OF NEIGHBORHOOD (VS. SUBDIVISION)
- . HIGH LEVEL OF LANDSCAPING
- . MORE ALLEYS AND ALLEYS PAVED
- . EASEMENTS AS PART OF A PROPERTY VS. NO MAN'S LAND
- . SOMETHING DEALING WITH VACANT LOTS
- . DIFFERENT TYPES/STYLES/AESTHETICS IN NEW DEVELOPMENTS
- . MORE COMMERCIAL, BUSINESS, RETAIL AND LIKE EXPANSION OF TOWN AND COUNTRY SHOPPING
- . GREENBELT PLANNING IN AREAS OF SPECIALIZATION, E.G., PUD WITH GREEN SPACE
- . CERTAIN AREAS ARE APPROPRIATE TO CERTAIN USES "ITS A THOROUGHFARE"
APPROPRIATE FOR BUSINESS
- . NOTHING WRONG WITH THE NEIGHBORHOOD BAR - NOTHING WRONG WITH A FEW BUSINESSES

- . INCREASE INVESTMENT BY COUNTY IN SOUTH CHEYENNE
- . PARKS - "THESE KIDS HAVE NOWHERE TO GO BUT THE STREETS"
- . PREDICTABILITY IN PROCESS & IN DECISIONS ON PLANNING
- . COMPATIBLE USES
- . SPACE IN FRONT OF DEVELOPMENTS NEAR STREET
- . FOR BUSY STREETS (E.G. SOUTH GREELEY), STRIP DEVELOPMENT IS OKAY
- . QUALITY = COMPATIBILITY IN STYLE, SIZE, DENSITY
- . OFFICE COMPLEX - FOR THE SOUTH SIDE (A LESS ABRUPT LAND USE CHANGE - MORE COMPATIBLE WITH RESIDENCES)
- . MORE RETAIL - MINI SHOPPING CENTERS ESPECIALLY GROCERIES
- . WAY TO RECOGNIZE EACH NEIGHBORHOOD'S INTEGRITY
- . SUFFICIENT ACCESS POINTS FOR NEW DEVELOPMENTS
- . OPTIONS TO LEVY BACK FOR IMPACTS DISCOVERED LATER
- . ENFORCEMENT MIGHT MAKE NEIGHBORS LESS DEMANDING
- . BUFFERS/BARRIERS TO SEPARATE INCOMPATIBLE USES , E.G., LANDSCAPING "STEPPING DOWN" FOR SINGLE FAMILY HOMES
- . BE CAREFUL WITH THE SEAM BUFFER - "WE WOULD RATHER HAVE LOOKED AT THE FRONT OF A ROW OF SINGLE FAMILY HOMES THAN THE BACK OF TOWNHOUSES"
- . USE BARGAINING W/DEVELOPER TO GET THEM TO ADD SOME THINGS YOU WANT
- . NEIGHBORHOOD BUSINESSES THAT FIT, THAT DON'T INCREASE AUTO TRAFFIC (HERITAGE QUILT SHOP AS EXAMPLE - FITS IN)
- . MORE SYSTEMATIC GROWTH PROCESS TO ELIMINATE CITY POCKETS IN COUNTY & VICE-VERSA
- . LANDSCAPING, EROSION CONTROL, & DRAINAGE - ADEQUATE PROVISIONS IN NEW DEVELOPMENTS
- . STRICT CONDITIONS ON RETENTION PONDS

- . BUFFERS BETWEEN DIFFERENT SCALED DEVELOPMENTS, OR STEPDOWN THE BUILDINGS
- . MORE PARKS (CAN USE RETENTION PONDS AS PARK AREA)
- . MORE DESIGN CONTROLS FOR COMPATIBILITY
- . ORIGINAL CITY - OK TO ADD OFFICES IF PARKING AND TRAFFIC PROBLEM CAN BE TAKEN CARE OF
- . "I DON'T WANT TO SEE CHEYENNE BE A CITY OF LITTLE BRICK HOUSES"
- . NEED A PLACE FOR ALL PEOPLE IN THE COMMUNITY - RENTERS HAVE NEEDS, AND SOME PEOPLE NEED SMALL UNITS

TOWN MEETING NOTES: WHAT TO REMOVE

- . HI DENSITY USES THAT CREATE PARKING PROBLEMS; POOR UPKEEP; UNDESIRABLE RESIDENTS
- . PARKING OF R.V.'S IN NEIGHBORHOODS
- . EXCESSIVE TRAFFIC IN OLD, HARD-TO-PRESERVE NEIGHBORHOODS
- . EFFORTS TO DOWN ZONE SHOULD BE MADE. WHAT ABOUT I-1 AREAS OF CITY?
- . ALL RETENTION PONDS
- . JUNKYARDS / TRASH AREAS
 - FENCING ISN'T ENOUGH
 - TRAFFIC HAZARD
 - UNSIGHTLY - HIDE FROM VIEW
 - THEY HAVE BEEN THERE - DO SOMETHING WITH
 - JUNKYARDS VS. SALVAGE YARDS - BUSINESS IS NECESSARY
- . STIGMA OF "COUNTRY AREA" PARTICULARLY SOUTH CHEYENNE "ALWAYS BEEN THE WRONG SIDE OF THE TRACKS"
- . CUT RED TAPE - ALLOW PEOPLE ACCESS TO THE PLANNING PROCESS
- . JUNK YARD NOT REALLY BEING USED OR CLEANED UP (RULES ALREADY THERE BUT NOT ENFORCED)
- . DILAPIDATED HOUSES
- . WEEDS
- . DOGS RUNNING LOOSE
- . JUNK CARS
- . SOME HOME BUSINESSES - E.G., CAR WORK
- . ACCESS PROBLEMS TO STREET FROM DRIVEWAYS
- . TRAFFIC CIRCULATION LIMITATIONS - ONEWAYS
- . HEAVY DISTRIBUTION OR MANUFACTURING IN RESIDENTIAL AREAS --ENFORCEMENT
- . "DECAYING" YARDS

TOWN MEETING NOTES: WHAT TO KEEP OUT

- . IN OLDER NEIGHBORHOODS - RENTAL AND POORLY KEPT UP PROPERTY
- . HUD HOUSING - ANY SHAPE OR FORM
- . BREAKING UP BUILDINGS
- . TOO MANY SPOT HOME BUSINESSES
- . INCREASED DENSITY - WITH MORE CARS AND CROWDED SERVICES
- . SAME KIND OF USE BUT OF WRONG SCALE
- . ENCROACHMENT OF COMMERCIAL USES WITH ITS PARKING COMPETITION
- . ENCROACHMENT OF INSTITUTIONAL USES
- . INDUSTRY IN RESIDENTIAL NEIGHBORHOODS
- . DEVELOPMENTS THAT DON'T LOOK RIGHT
- . RED TAPE
- . HIGH DENSITY DEVELOPMENTS IN LOW DENSITY NEIGHBORHOODS
- . EXCESSIVE TRAFFIC
- . "THOUSANDS OF DOGS"
- . RETENTION PONDS & DRAINAGE DITCHES
- . INCOMPATIBLE USES SUCH AS SOME MOBILE HOMES. "HOW IT LOOKS" IS THE ISSUE
- . PROFESSIONAL OFFICES IN NEIGHBORHOODS
- . PARKING PROBLEMS - RESIDENTS, VISITORS & OFFICE USERS, EXTRA CARS
- . SIZE AND HEIGHT CONTRASTS
"A BUNCH CRAMMED IN TOGETHER"
"WHEN THERE WERE 2 OR 3 THEY LOOKED LIKE A HOME...IN THE LONG ROWS NO"
- . BUFFERS CAN BECOME PROBLEMS - "WHO WANTS TO LIVE IN A BUFFER?"

- . ONE-WAYS THAT LEAD TO SPEEDING CONFLICTS WITH RESIDENTIAL USE
- . RENTAL UNITS IN SINGLE FAMILY OWNED NEIGHBORHOODS - PROBLEM WITH STAKE IN NEIGHBORHOOD PLUS CARE & THE LOOKS OF THE UNITS
- . INCOMPATIBLE USES WHICH MUST BE DEFINED DIFFERENTLY IN EACH NEIGHBORHOOD
- . ADDITIONAL TRAFFIC THROUGH RESIDENTIAL AREAS
- . BUSINESSES THAT DETERIORATE NEIGHBORHOODS

B. UNEDITED DEVELOPERS WORKSHOP NOTES

WORKSHOP SUMMARY CONCERNS

1. CLARITY OF RULES, REGULATIONS & PROCESS
2. RATIONAL EVALUATION PROCESS VS. EMOTIONAL/POLITICAL DECISIONS
3. COMMUNICATION
4. MISTRUST AND MISUNDERSTANDING OF EVERYONE'S POSITION
5. NEED FORUM FOR NEIGHBORHOOD-DEVELOPER CONTACT
6. NEED COMMUNITY UNDERSTANDING OF NEED FOR GROWTH
7. NEED COMMUNITY UNDERSTANDING OF ECONOMICS OF DEVELOPMENT
8. USE PLANNED UNIT DEVELOPMENT MODEL MORE
9. LACK OF PLANNING, INCLUDING ECONOMIC DEVELOPMENT

WORKSHOP NOTES

- . ATTITUDE OF RATHER HAVING MEDEMAS THAN OUR TEN UNIT PROJECTS
- . "IF THERE'S NOBODY LOCAL YOU CAN GET THROUGH THE PROCESS"
- . "TO GET THE BLACK HAT OFF THE DEVELOPER...AND THE CITY"
- . COMMUNICATION
 - . CITY-DEVELOPERS
 - . CITY OFF. - CITY OFF.
 - . DEVELOPERS-COMMUNITY
 - . DEVELOPER-DEVELOPER
 - . CITY OFF.-PUBLIC DECISION MAKERS
- . POLITICAL RAMIFICATIONS VS. TECHNICAL FACTORS IN DECISION-MAKING
- . NOTIFICATION OF PUBLIC MEETINGS

- . INCONSISTENCY OF ENFORCEMENT MEANS ONE DEVELOPER BLAMED FOR ACTIONS OF OTHERS
- . CITY NOT FOLLOWING ITS OWN RULES
- . CITY UNWILLING TO TRY NEW IDEAS
- . NITPICKING VS. LOOKING AT BIGGER ISSUES
- . PERSONAL WHIM OF CITY OFFICIAL OR NEIGHBORHOOD -- FOCUS ON NEGATIVES
- . NEIGHBOR OPPOSITION TO DEVELOPMENT OF VACANT AREAS
- . PERCEIVED ATTITUDE OF NON-GROWTH
- . MAYOR-COUNCIL LACK OF COOPERATION
- . NOT UNDERSTANDING DOLLARS AND TIME DELAYS BY CITY OFFICIALS
- . TAKES TOO LONG TO GET FULL APPROVAL
- . MAKING UNREASONABLE REQUESTS THAT MAKE PROJECT UNECONOMIC
- . BEING "BLACKMAILED" INTO ADDRESSING OTHER PROBLEMS NOT ASSOCIATED WITH PROJECT
- . PROCESS OF APPROVAL TOO COMPLEX
- . CITY COUNCIL IGNORING CITY STAFF
- . ONE-SIDED COMMENTS BY CITY STAFF IN REVIEWING PROJECTS TO DECISION MAKERS
- . UNJUSTIFIED TECHNICAL REQUIREMENTS
- . BEING FORCED TO CREATE "CADILLAC" PEOPLE CAN'T AFFORD
- . CITY DOESN'T GIVE FINAL OKAY - KEEPS MAKING MORE REQUESTS
- . CONTINUAL PROMULGATION OF NEW REGULATIONS
- . USING RULES NO ONE KNOWS ABOUT
- . MAKING RULES RETROACTIVE

- . NEIGHBORS DO NOT UNDERSTAND THE PLANNING/DEVELOPMENT PROCESS AND THE NEED FOR SOME GROWTH
- . LACK OF UNDERSTANDING OF OVERALL WAY THINGS DEVELOP
- . EVERY PROBLEM AFFECTS ECONOMICS OF PROJECTS - HOW TO HELP OTHERS UNDERSTAND THIS?
- . DEVELOPERS HAVE ASSUMPTION THAT GROWTH WILL ALWAYS BE OPPOSED
HOW TO DEMONSTRATE CONSEQUENCES OF A NO-GROWTH ATTITUDE?
- . EARLY CONTACT WITH NEIGHBORHOOD GROUPS NOT HELPING TO EASE OPPOSITION AND TAKES A LONG TIME
- . NEGOTIATED AGREEMENTS CAN BE REACHED - BUT DEPENDS ON PARTICULAR PARTIES INVOLVED. BUT TIGHT MARGIN CAN MEAN ONE BAD MOVE --- OUT OF BUSINESS
- . CURRENT LOCAL ECONOMIC CLIMATE IS IMPORTANT TO UNDERSTAND. BUST IN OIL WASN'T REPLACED WITH ANOTHER GROWTH PRODUCER
- . REVIEW PROCESS MUST WORK IN GOOD AND BAD TIMES
- . ONGOING NEIGHBORHOOD GROUPS MIGHT BE BETTER THAN AD HOC GROUPS FORMED SOLELY IN REACTION TO ONE PROJECT
- . NEIGHBORHOODS DON'T UNDERSTAND COSTS OF WHAT THEY ASK OF DEVELOPERS
- . NEIGHBORHOODS SHOULD SPEAK WHEN IN SUPPORT AS WELL AS WHEN IN OPPOSITION
- . SOME NEIGHBORHOODS DON'T SEEM TO WANT TO OKAY ANY PROPOSED USE
- . GET NEIGHBORHOOD GOALS ON RECORD BEFOREHAND TO ALLOW GREATER PREDICTABILITY
- . AREA DEVELOPMENT PLAN NOT CONSISTENTLY ADHERED TO
- . FEELING THAT OWNER OF PROPERTY HAS FEW THINGS THAT CAN BE BUILT BY RIGHT
- . MORE USE OF P.U.D. WOULD GIVE MORE QUALITY CONTROL
- . SHOULD HI-DENSITY DEVELOPMENTS BE CLUSTERED TOGETHER? MARKET CONDITIONS RULE OUT LOWER DENSITY DEVELOPMENTS. LACK OF PLAN BY CITY CREATES THE PROBLEM WHEN SEVERAL SUCH DEVELOPMENTS OCCUR TOGETHER. CITY REACTS RATHER THAN PLANS.

- . INSUFFICIENT CITY RESOURCES DEVOTED TO ECONOMIC DEVELOPMENT PLANNING
- . PUBLIC EMPLOYMENT BASE FEEDS NO-GROWTH ATTITUDE
- . NEIGHBORHOODS GET INVOLVED MAINLY WHEN THEY WANT TO OPPOSE SOMETHING. NEED MORE DIALOGUE ON THE ECONOMY OF CHEYENNE
- . MAYOR'S OFFICE MAKES DECISIONS ON ECONOMIC DEVELOPMENT WITHOUT WIDE PUBLIC DISCUSSION
- . DEVELOPER'S PERSONNEL WHO CAN DEAL WITH LAYMEN ARE DIFFERENT THAN CAN DEAL WITH PROFESSIONAL PLANNING ISSUES
- . CITY REQUESTS TO GO FARTHER THAN PROJECT PROPOSAL IS A PROBLEM
- . WHO DO YOU LISTEN TO FOR NEIGHBORHOOD INPUT?
- . HOW A NEIGHBORHOOD HEARS ABOUT A PROJECT IS IMPORTANT --- WHO IS TELLING YOU A PROJECT IS IMMINENT?
- . NEIGHBORHOODS ARE STARTING TO TALK TO EACH OTHER
- . IT SHOULD BE CUT AND DRIED AS AN ANALYSIS OF THE FACTS --- JUDGEMENT TOO OFTEN ON NUMBER OF HEADS AT A HEARING
- . WHY CAN'T DECISION MAKERS TRUST THEIR TECHNICAL STAFF?
---BRINGS TO POINT OF BEING ABLE TO SEPARATE TECHNICAL AND EMOTIONAL ISSUES
- . USE OF TECHINICAL INFORMATION TO KILL PROJECTS INAPPROPRIATELY
- . DEVELOPERS THAT ARE SINCERE TRY TO DO A GOOD JOB
- . REVIEW PROCESSES ARE A HINDERANCE/ROAD BLOCK TO THOSE TRYING TO DO GOOD WORK
- . PAPERWORK DOSEN'T NECESSARILY MEAN BETTER WORK
- . AT NO TIME SHOULD MEETINGS AT CITY LEVEL OCCUR WITHOUT MINUTES SENT TO DEVELOPER
- . PROBLEM OF ADDING PROJECT REQUIREMENTS TO GET OTHER THINGS DONE -
"I'LL EXPEDITE IT IF..."
- . STATE LAW SAYS 140' AS PRIME IMPACT - BUT HOW OFTEN DO YOU CHECK THAT ON A PETITION?

- . DEVELOPMENT PLAN - HAZY IN A LOT OF AREAS - CITY SEEMS TO USE ONLY FOR DENIAL
- . SUGGESTIONS IN PLAN OFTEN NOT RELATED TO EXISTING SITUATION
- . DEVELOPER KNOWLEDGE PUTS RULES IN FAVOR OF DEVELOPER - ADVANTAGE OVER NEIGHBORHOOD
- . USE OF POLICY OVER ORDINANCE - E.G., R-4 KEPT AS SINGLE FAMILY BY POLICY
- . EDUCATION & CLARIFICATION OF ECONOMIC REALITIES OF DEVELOPMENT NEEDED IN CHEYENNE
- . DEPARTMENTS DON'T TALK TO EACH OTHER
- . ATTITUDE THAT CITY WANTS TO TALK ONLY WITH PROFESSIONALS -- NOT THE TYPICAL "JOE"
- . GETTING HEARING IN COMPLEX PROCESS IS A PROBLEM - TABLING DONE TOO CASUALLY
- . CITY DOESN'T FOLLOW OWN RULES WITH ITS OWN PROJECTS - AFTER THE FACT PLANNING TOO COMMON
- . FAIR PLAY NEEDED DEVELOPERS - OUT-OF-TOWNERS WITH BUCKS WORK TOP DOWN TO INFLUENCE CITY
- . KEEPING OF NEIGHBORHOOD VALUES IS AN EMOTIONAL ISSUE NOT RELATED TO RATIONAL UNDERSTANDING
- . DEVELOPMENT PLAN FAST BECOMING LAW WHEN STAFF WANTS TO USE IT AS SUCH
- . CARE MUST BE TAKEN WITH NEIGHBORS MAKING DECISIONS -- SHOULD GATHER INFORMATION BUT NOT MAKE DECISIONS
- . STAFF SHOULD BE MIDDLE OF THE ROAD
- . THERE SHOULD BE A SEPARATION OF EMOTIONAL AND TECHNICAL ASPECTS OF THE PROJECTS
- . LACK OF TRUST ACROSS THE BOARD
- . PROMPTNESS OF STAFF REPORTS GETTING TO REQUIRED PEOPLE
--- "LIVING BY OWN RULES" IF NOT DONE ON TIME THEN APPROVED
- . REPEAT NOTICES AFTER TABLING FOR NEXT MEETING NOT HEARD - NOT GIVEN

WHO'S BUSINESS IS IT TO FORWARD INFORMATION THROUGH?

--- PREFERENCE TO PERSONALLY FOLLOW PROJECT THROUGH SYSTEM

EVERYONE SHOULD BE ABLE TO USE THE PROCESS

---> NOT SURE IT ISN'T A TECHNICAL PROCESS AND SO SHOULD BE PROFESSIONAL
RESPONSIBILITY

C. TOWN MEETING CASE STUDIES.

This section contains the case study material utilized during the workshops previously described.

21ST AND EVANS: CASE STUDY #1

APPLICANT REQUEST

Regency Construction Co. requested a rezoning of property at 2103 Evans Avenue from R-3 to B-2 to enable the owner to rent the old sandstone vacant house as a real estate office. The small house sits on a site 4,356 sq. ft. and is surrounded largely by R-3 zoned residential properties. Regency had filed its Zone Change October 17, 1979.

CITY ACTION NEEDED

For a property to be rezoned, it requires a vote of City Council after the application has been acted upon by the Planning Commission.

POTENTIAL NEIGHBORHOOD ISSUE

The proposed rezoning would have allowed a commercial activity to go on in the midst of a residential area. Though the applicant stated the immediate proposed use was a real estate office, were the rezoning to be granted, the applicant could have legally operated any allowable B-2 use on the site.

In addition to the introduction of a new use into the neighborhood, the rezoning represented a deviation from how a series of similar structures of some historic significance "Keeffe Cottages" are used. all the others were used as residences.

NEIGHBORHOOD CONCERNS

Residents of the neighborhood were concerned over the intrusion of a non-residential use into a residential area and over the possibility of an unsightly building nearby. Such concerns were expressed by speakers at the Planning Commission and City Council public hearings, by petitions submitted, and by letters to the editor.

REQUIRED PROCEDURE

An applicant for a rezoning must be complete and submit a two-page Zone Change Application and a two-page Zone Change Checklist. The first form simply describes the property in legal terms, lists the current and proposed zoning, and names of adjacent property owners. The second form indicates what additional information the Planning Office wants to see included on the zone change plan or map, or what supplemental information the office wants submitted. The applicant also pays a fee, in this case \$95., for filing a Zone Change request.

At the time the application is filed, the Planning Office puts the proposal on the agenda for a future Planning Commission meeting, i.e. sets a public hearing on the proposal. In this case, that hearing was set for November 15.

City regulations also require that the applicant show evidence that property owners within 140 feet of the site had been notified of the proposed rezoning. This can be done in one of two ways: 1.) the applicant gets signatures from those adjacent owners indicating that they had been notified of the request; or 2.) the applicant shows receipts from letters of notification sent to adjacent owners by certified mail. In addition, the city publishes a standard legal notice in the two city papers that a rezoning has been proposed and that a public hearing will be held at such a time and place. Legal notice for the 21st and Evans proposed rezoning appeared on October 22 and 23.

Once the Zone Change Application is received, copies of it are sent to a dozen different public agencies (e.g. assessor, traffic engineer, school district) and utility companies (Mountain Bell and Cheyenne Light, Fuel, and Power) for their comments. These notices were distributed the day after the application was received.

The serious work on the application then begins as the Planning Office staff conducts a review of the application. That review may include additional meetings with the applicant. On November 5, the staff report to the Planning Commission recommended denial of the rezoning proposal for several reasons:

1. No evidence shows that the current zoning is not correct.
2. The proposal is likely to intrude upon and encourage further destruction of a significant historic resource.
3. There is not strong commitment evidenced to rehabilitate the property within a given time frame.
4. The residential neighborhood may have trouble "holding its own" if intrusions are permitted.
5. Approval of this request could create a domino effect of other similar rezoning requests.
6. Future land use plans are likely to recommend keeping the area residential, and this rezoning would make that policy harder to implement.

A public hearing is then held by the Planning Commission prior to its deliberation and vote. Following that action, the City Council's Public Works Committee holds a public hearing, and then makes a recommendation to the full Council for action. Council's Public Works Committees consists of three persons, but its meetings are often attended by several of the other six Council members.

Before this case got to the Planning Commission, the applicant, upon hearing the Planning Office's recommendation for denial, chose to withdraw the application. Approximately a year and a half later (June 6, 1981) apparently seeking an alternative way to be allowed the desired use, Regency filed an application for a Conditional Use Permit (CUP) so they could operate a construction business office on the first floor of the building (while continuing to use the upper floor as a rental apartment). That CUP application was reviewed by the Planning Office and a recommendation was made to the Planning Commission that the application be denied for the following reasons.

1. It did not meet the test for conditional use approval as spelled out in the Zoning Ordinance.
2. Insufficient off-street parking was provided, thus stepping up competition for on-street parking in an area already impacted by parking for state employees.
3. The proposed use is of higher intensity than neighboring properties, thus constituting a special privilege for one owner.
4. It would be a sharp departure from the way the other historically significant Keefe Cottages are used, and would present a threat to adjacent property owners.

Two other public agencies also turned down the request. The CUP request would have been heard by the Planning Commission on July 6 and by the Board of Adjustment on August 20, with public hearings held before both bodies. The action of the Planning Commission is in the form of

a recommendation to the Board of Adjustment. As in a rezoning application, legal notice was printed in the two local papers, and Regency notified eight adjacent owners of the proposed action. Hearing the Planning Office's recommendation for denial, Regency again withdrew its application.

Yet another year and a half went by and Regency submitted a new rezoning application, this time seeking PUD (Planned Unit Development) rezoning. Advice from the Planning Office suggested this method of rezoning because it places tighter controls on the use of the property and thus might meet residents' objections. That proposal was reviewed by the Planning Commission and eventually passed by the City Council on May 14, 1984. A number of conditions were attached to that final approval regarding rehabilitation standards, parking provision, and signs.

IMPLEMENTATION AND IMPACT

As of this date, no rehabilitation work on this property has been started. Whether or not neighborhood concerns expressed earlier have been met is not known.

TWELVE APOSTLES: CASE STUDY #2

APPLICANT REQUEST

The Foundation of the Twelve Apostles requested that a Conditional Use Permit (CUP) for a general office for the property at 102 West 26th Street. That property is presently in an R-3 zoned area, and comprises 3,100 sq. ft.

CITY ACTION NEEDED

For a property to have a Conditional Use Permit, it requires approval by the Board of Adjustment, after being acted upon by the Planning Commission.

POTENTIAL NEIGHBORHOOD ISSUE

The proposed conditional use (a general office) is neither principally nor conditionally permitted in an R-3 zone. The site is on the edge of one of the traditional, solidly established residential neighborhoods in the city. The conversion, while perhaps being kept with a residential exterior appearance, might well lead to eventual disintegration of the residential character of the neighborhood. The issues of that slow disintegration versus vacant buildings becomes problematic for the neighborhood.

NEIGHBORHOOD CONCERNS

The residents of the neighborhood voiced opposition to the project, speaking through their neighborhood organization and with legal counsel.

REQUIRED PROCEDURE

The property at 102 West 26th had been granted a Conditional Use Permit for a life insurance office on October 16, 1975. The office changed uses, with a retreat center operating out of it from 1979 through June 1980, then remained vacant for the next two years. During a special check of all the city's Conditional Use Permits in August 1982, visual inspection revealed that the property was not being used as an insurance office. Notification was made to the owners, the Foundation of the Twelve Apostles, on September 1, 1982 that a Board of Adjustment hearing would be held on September 16 to reconsider the permit.

The Board voted on that date to deny the request from the Foundation to continue the Conditional Use Permit since the original conditional use had been vacant after one year of nonexistence. In addition, that later use (the retreat center office) had not been specified and therefore not allowed in the original 1975 CUP. The owners were required to file a new CUP application if they wished to operate their office at this site.

The Foundation did apply for a new CUP on November 12, 1982. The application requirements consist of a two-page form describing the site, its address, proposed use of the site, current zoning, proposed land use, and surrounding land uses, as well as technical data about parking and proposed number of employees. A second form indicates supplemental information requested by the Planning Office. The applicant pays a fee, in this case, \$95.

At the time of application, a date is set for both Planning Commission and Board of Adjustment hearings. As set out in the Conditional Use Permit application form, there are two methods by which the applicant can notify the adjacent property owners of the proposed action: 1). the applicant can obtain signatures from the adjacent owners showing that they had been notified, or 2). the applicant can notify them by certified mail, submitting to the office the receipts from those letters. Upon recommendation the Planning Commission then acts. When the application is received, copies of it are sent to eight agencies for their review and comments. The Planning Office then undertakes a review of the application. In each case a staff report is prepared which leads to recommendations to the Planning Commission. The Planning Commission met on December 2, 1982, having in front of it a recommendation from the staff for denial, based on the following reasoning:

1. General offices are not principally nor conditionally permitted in the R-3 zone.
2. The city's comprehensive plan recommends no conversions be allowed in that neighborhood.
3. Further intrusion of non-residential uses would destroy the neighborhood's residential character.
4. More on-street parking problems would be created.
5. The neighborhood would benefit more from a costly but worthwhile renovation of the building for residential use.

IMPLEMENTATION AND IMPACT

The Commission denied the application and the Board of Adjustment then met on December 16, and heeded the denial recommendation from the Planning Office and denied the application as well. The Foundation was given until December 16, 1984 to come into compliance with zoning regulations.

CONTINENTAL MOBILE HOME PARK EXPANSION: CASE STUDY #3

APPLICANT REQUEST

On June 20, 1984 Harold L. Wikenson submitted an application for a final plat for the Continental Mobile Home Park Expansion which would be for 36 lots for single family home residences ranging in size from 3,000 to 4,275 sq. ft., for a total of 4.69 acres. (A preliminary plat had already been submitted and approved the previous fall). The site, zoned B-1, was currently vacant. About the same time (July 3), Continental also submitted Zone Change (to R-3) and Conditional Use Permit Applications, covering almost all the same area covered by the Final Plat request. Most of the surrounding property was zoned B-1, and contained a furniture repair shop, a bank, single family homes and Continental's originally developed mobile home park.

CITY ACTION NEEDED

For this particular property, which was in the unincorporated part of the county, to be rezoned, it required approval by City Council after the application has been acted upon by the Planning Commission. A conditional use permit requires the Commission's action followed by a vote of the Board of Adjustment. Final plats must be passed on by the Planning Commission and the City Council.

POTENTIAL NEIGHBORHOOD ISSUE

The major neighborhood issue which these applications represented had to do with a drainage problem the plan created for the neighbor to the north, where the furniture repair shop is located.

NEIGHBORHOOD CONCERNS

That neighbor to the north did make known his concerns with the proposal.

REQUIRED PROCEDURE

A party wishing any of the three actions in this case must complete and submit standardized applications. The Final Plat Application is a two-page form describing the property, its neighboring properties, and the desired action. A map of the plat is also submitted. A \$50 fee was paid at the time the application was made. The Rezoning Application and the Conditional Use Applications are very similar two-page forms, the former accompanied by a fee of \$32.50 and the latter, a fee of \$32.50.

At the time these applications are submitted, the Planning Office staff places the issue on the agenda of a future Planning Commission meeting, in this case August 6, 1984. Placing the item on the agenda also automatically sets a public hearing on it at that scheduled time.

City regulations also require that the applicant show evidence that property owners within 140 feet from the site had been notified of the proposed rezoning. This can be done in one of two ways: 1.) the applicant gets signatures from those adjacent owners indicating that they had been notified of the request, or 2.) the applicant shows receipts from letters of notification sent to adjacent owners by certified mail. In addition, the city publishes a standard legal notice in the two city papers that a rezoning has been proposed and that a public hearing will be held at such and such a time and place.

Legal notice for the hearing on these proposed actions was published on July 7 and 9th and a sign was posted on the property.

Once any of these types of applications is received, copies of it are sent to various public agencies and the private utility companies. For the Final Plat application, 16 other offices are asked to review and make comment on the application; for Zone Change Applications, up to 14 other agencies may review it; and for Conditional Use Permits, up to 8 other agencies. Some of the agencies which appear on all three requirement review lists are: City Engineer, City Traffic Engineer, the appropriate fire protection agency, the appropriate school district, and Mountain Bell & Cheyenne Light, Fuel and Power.

Before any of the applications get to the Planning Commission, they are reviewed by the Planning Office staff which prepares a report and recommendation to the Commission. A copy of that document goes to the applicant as well. Additional Planning staff-applicant or Planning Staff-agency meetings might be part of this review. On July 18, in this case, Planning Office staff met with representatives of six different agencies. Objections to the proposal were voiced by both the city and the county engineers' offices. The Planning Offices report recommended tabling the final plat request until certain requirements were met and an approvable plat filed. This recommendation basically found fault with the application process and procedure were than with its content, although several substantial issues were also targeted for action.

1. The conditions on the preliminary plat must be met.
2. Curve data must be provided.
3. Dimensions on all lots must be shown.
4. The private road statement must be in larger print.
5. The C-1 zone must be verified before lots 13-19 become useable.
6. All requirements of the Zoning Ordinance governing mobile home parks must be met.
7. Fire hydrants must be installed per Fire District #1 and South Cheyenne Water and Sewer District.

At its regular meeting on August 6, 1984, the Planning Commission followed the staff recommendation, voting to table the three requests because 1.) neighborhood notification was not done in a timely manner, a subdivision permit application had not been submitted, and a corrected Final Plat Application was submitted too late for staff review prior to the meeting. The applicant appealed that decision and hearing on that was set for August 14 before the County Commissioners. The day before that the applicant did submit a Subdivision Permit Application (a one-page form accompanied by a check list of other necessary documents and certifications).

When the appeal to the County Commissioners failed, the applicant exercised his right to pursue a further appeal, to the Planning Commission at its August 20 meeting. Only one minor objection was raised by any of the reviewing agencies, and the Planning Commission approved the application on August 20 and passed it on to the City Council for its August 27 meeting. Council referred it to its Public Works Committee for its September 4 meeting, and at the same time, the Planning Office staff referred the original Zone Change and Conditional Use Permit applications to the County Commissioners for their August 28 meeting, with the Final Plat to be placed on the Commissions agenda after it received Council approval. Council approved that Final Plat on September 10 and on the 18th, the County Commission approved the Zone Change and Conditional Use Permits.

IMPLEMENTATION AND IMPACT

Infrastructure work on the site is going on at this time.

COUNTRY WEST SUBDIVISION: CASE STUDY #4

APPLICANT REQUEST

On March 24th, 1982, Country West applied for a subdivision permit and final plat for 187 single-family residences on its land in the county but within a mile of the city limits.

CITY / COUNTY ACTION NEEDED

Final plat and subdivision applications require both City Council and County Commissioners approval following Planning Commission review.

NEIGHBORHOOD CONCERNS

Neighbors had purchased their lots with expectation that new lots would be no less than 1/2 acre. Concerned with the small lot size of Country West, neighbors filed suit on April 9, 1982, to prevent the land from being replatted in lots less than 1/2 acre.

REQUIRED PROCEDURE

An applicant submits a one-page application for a subdivision permit and a two-page application and a \$50 fee for a final plat plus costs per lot of land to be subdivided - \$100, or \$10 per lot up to \$1,000. The Planning Office then places the issues on the Planning Commission agenda, in this case April 19, 1982, and public notice of the hearing is published in local newspapers. The Planning Office distributes applications to appropriate agencies for review. Fifteen agencies reviewed Country West, and some questions were raised about technical aspects of the subdivision which were still pending from preliminary plat reviews, namely, that street section and paving plans did not meet city standards.

The Planning Office recommended approval with changes related to the above concerns. The Subdivision Permit Review Committee approved the plan on April 5, 1982; the Planning Commission gave approval on April 19, 1982. The applications were then forwarded to the Public Works Committee of City Council which reviewed the project on May 3, 1982. Following some postponements, a joint City Council and County Commissioners meeting considered the project on June 23, 1982, and City Council then approved the project on June 28, 1982, with the requirements that streets meet city standards. The County Commissioners took the project under advisement on July 6, 1982, and approved it on July 13, 1982 subject to approval of a phasing plan and letter of credit.

IMPLEMENTATION

The project is in operation. Resolution of neighbors suit is unknown.

YELLOWSTONE VILLAGE: CASE STUDY #5

APPLICANT REQUEST

Between January 24 and June 28, 1983, Medema Homes applied for seven city actions in order to develop a vacant 18.347 acre site into 270 townhomes. Actions sought were for: Preliminary Plat, Annexation to the city, Zone Change from R-3 to R-3/PUD, Final Plat, Subdivision Permit, Vacation of a street, and Site Plan Review. This represents the full land development process. The site, in the county at the time, is south of Shoshoni Street, north of Hobbs Avenue, and West of Townsend Pl., and is surrounded by R-3 zoned single-family housing on three sides and B-2 commercial use on the fourth side.

CITY ACTION NEEDED

Each of the seven items requires a review by the planning staff, then a recommendation by the Planning Commission, and final legislation action by City Council and/or the County Commissioners.

POTENTIAL NEIGHBORHOOD ISSUE

Medema's project represented one of the largest residential developments in the city's history, creating the potential for some neighborhood reaction due to its size, density related to the surrounding neighborhood, and impacts on the neighborhood's facilities and services.

NEIGHBORHOOD CONCERNS

The neighborhood did express its concerns via petition signed by 32 residents, asking the city to take a number of items into consideration. The neighbors also met with the Planning staff to express those concerns:

- . Potential increased density (up to 2-3 times that of the nearby neighborhoods).
- . Crowding of schools already at or near capacity, forcing expansion or bussing.
- . Inadequate access for firefighting equipment and need for heavy-duty bridges for that equipment.
- . Other issues raised were: the unit price, building ownership, street paving, and pre-occupancy maintenance.

Later, the neighbors also raised the issue of the overall legality of PUD's (April 11).

REQUIRED PROCEDURE

Each of the actions sought by the developer has a required set of steps for approval and each occurs in a definite place within the whole development process.

The Preliminary Plat is a statement of intent to carve up land in a certain way as a first step in development. Application was filed January 24, consisting of a two-page form describing the site and surrounding uses, and a fee was paid. The Planning Office notified the neighborhood by letter on January 26, published legal notices in the daily papers on February 1 and 7, and set a hearing before the Planning Commission for February 21. The application is also sent to as many as 15 agencies and utilities for review and comment.

Annexation to the city was applied for January 31. A two-page form describing the site and surrounding area, a map, and a "Petition for Annexation" were filed. The petition is a legal form, simply describing the land and testifying to ownership of it.

About the same time, Medema submitted a consulting engineer's report of environmental impacts, concluding that no adverse impacts would occur and in fact there would be some positive ones. The annexation fee of \$181 was paid, and the application was circulated to 14 agencies and utilities. A hearing was set before the Planning Commission for March 7.

The Planning staff report to the Planning Commission for its February 22 meeting recommended approval as the plat conformed to the overall area plan and presented no major problems to reviewing agencies. A few technical conditions were attached (traffic impact study, agreements on street construction, clear delineation of certain elements of the final plat). The Planning Commission approved the Final Plat, Annexation, and Vacation on March 21, but tabled the PUD Zone Change, stating they wanted a PUD that better fit the city format.

Council passed the annexation and Final Plat on first reading March 28, but Medema requested a two-week delay before the issue went before Council's Public Works committee, and invited Council members to a Medema-paid tour of a similar project of Medema's in Colorado Springs (plus lunch). The Chair of the committee approved the delay, and declined the invitation to the tour, suggesting instead that Medema invite the neighbors.

Medema submitted a set of land use standards and on April 4, the Planning Commission approved a revised PUD in light of those standards and with a few technical conditions. The neighbors communicated with Council on April 11, raising the question of the legality of PUD's, and on April 20, Medema representatives met with the neighbors and agreed to seven conditions (street paving, setbacks, landscaping, meter location, trash receptacle location, berm). Medema notified Council of these agreements. On May 9, Council approved the annexation and the Final Plat, and on June 20, the County Commissioners okayed the Final Plat as well. That same date, Medema filed a Site Plan Review Application (a two-page form describing the site and certain design details) and paid a fee. That application was circulated to ten reviewing agencies and utilities. That approval gains for the applicant a Certificate of Review and the right to apply for a building permit.

IMPLEMENTATION AND IMPACT

Construction was started, but on October 4, the City Attorney wrote to Medema saying that neighbors had complained that one of the April agreement conditions (utility meter location) was being violated. He asked for a response by the next Council meeting. (We assume the objection was eventually met - have no record one way or the other).

FLYNN'S MINI-WAREHOUSE: CASE STUDY #7

APPLICANT REQUEST

On April 24, 1981, the applicant, through a consulting firm, requested an interpretation from the City Engineer (the Zoning Enforcement Officer for the City) about the legality of doing a mini-warehouse/storage area project in a C-1 floodway zone. The site under consideration was a 3.35 acre vacant piece of land between Thomes and Deming, West 7th and 9th. The Floodway Boundary and Floodway Map of September 30, 1877 had defined floodways for the city. To the north was single-family housing and open space; to the south, single-family housing; to the east, floodplain and Dry Creek; to the west, single-family housing and a school. All the area was zoned C-1.

CITY ACTION NEEDED

All that was initially needed for the request was a legal determination by the City Engineer, but the applicant appealed the adverse ruling and took it through several steps, to be described later.

POTENTIAL NEIGHBORHOOD USE

Since most of the surrounding land uses were residential, the question of commercial activity there could be raised. Also, the impact of building within a floodway could be an issue.

NEIGHBORHOOD CONCERNS

Neighbors were indeed concerned and raised that in the form of a petition signed by 75 households (approximately). (Later on they also testified at the Board of Adjustment hearing). They said the proposed use was incompatible with historic and current residential use and zoning, and was too close to Cole School.

REQUIRED PROCEDURE

The applicant had requested an administrative ruling by letter, and three days later, the City Engineer replied by letter, saying the proposed use "would not be accessory to uses permitted in the adjoining zoning districts" which are R-3 single-family residences, and that I-1 was needed for a warehouse. The City Engineer also raised the issue of the appropriateness of having houses there. He advised the applicant of the appeal process (a letter within 30 days to the Board of Appeals and a public notice). Three days later, the applicant did request a determination by the Board, and on May 21, the Board voted to deny the appeal. Again, the applicant was advised of the next possible step in the appeals process: notice to the Planning Office and the City Clerk for placement on Council's agenda.

On June 1, the applicant did ask Council for a ruling, and on July 14, Council overturned the previous ruling, that is, found for the applicant. Therefore, on July 27, the applicant filed for a Conditional Use Permit to allow development of one residence and a mini-warehouse. The residence would use 33,206 sq. ft. of the land and the warehouse 112,666, while 35,505 would be landscaped. Filing for the CUP entailed completing a two-page application, which describes the site, surrounding uses, zoning patterns, and intentions of the applicant. A \$95 fee was paid at that time. City regulations say the applicant must notify neighbors either by certified mail or

ROACH AUTO BODY: CASE STUDY #8

APPLICANT REQUEST

On June 30, 1978, Roach Auto Body applied for a Site Plan / Parking Lot Review for their property at 323 East 3rd Street, proposing to have an auto repair and body shop there. The property was in a C-2 (flood conservancy) zone.

CITY ACTION NEEDED

Such a site plan review is done by the planning staff with approval or denial by the Planning Commission. The zoning enforcement officer is also involved.

POTENTIAL NEIGHBORHOOD ISSUE

Junk cars are not allowed in a C-2 zone, but more importantly, most of the surrounding area is zoned R-3.

NEIGHBORHOOD CONCERNS

Citizens made continuous complaints to the Cheyenne Planning Commission, planning staff, and City Council about the business' appearance, the operation of a junk/storage yard, and the fact that the business was not one where cars process through the place in a reasonable time.

REQUIRED PROCEDURE

The Site Plan application is made as a part of the process of constructing a new building. The planning staff reviews it and sends it out for review and comment by other agencies. The Planning Commission on August 7 approved the plan with some technical conditions. After a first site inspection on December 29, a temporary certificate of occupancy (until June 1) was granted. A second site inspection was done July 19, after which site plan improvements were begun. A new use, a junkyard, was noted and the owner was told to submit an amended site plan by August 20. A zoning inspection on August 29 lead to advise to the owner to obtain a use permit for the C-2 zone, and a temporary certificate of occupancy (until October 1) was granted. A third site inspection on September 19 was done and resulted in an extension of the certificate until October 4.

Yet another site inspection was done on October 11, after which the owner was told to submit a revised site plan by November 1, with the certificate of occupancy extended until October 30. It was also determined that no zone change or conditional use permit was required as the uses were incidental to uses permitted in the floodway zone. After a 5th site inspection, the certificate of occupancy was extended until June 2, 1980. The City Engineer for Zoning also told the owner by letter that a junkyard was not allowable and they should come into compliance. After a 6th site inspection, the owner was told to have a revised site plan in by July 1.

On July 1, a site plan review was finally applied for. The Planning Office (which at that time did the site plan reviews) found that the storage of vehicles was okay, but only because of the loophole, that it really was an abrupt and inconsistent departure from the single-family neighborhood. He recommended approval with some conditions about landscaping for appearance.

On October 20, 1980, the Planning Commission approved the site plan with an additional condition that cars not be stacked, and the certificate of occupancy was extended until June 1, 1981.

The Neighborhood Housing Services and neighbors appealed the decision to City Council on November 20, and Council upheld the appeal.

On June 2, 1981, the Mayor issued an administrative decision to extend the certificate of occupancy until September 1; after that date, the conditions had not been met, the license expired, and the matter was referred to Council, which sent it to Committee. September 20, Council called a special meeting to discuss the matter and extended the certificate until March 3, 1982.

D. NEIGHBORHOOD NOTIFICATION ORDINANCE DENVER, COLORADO

Sec. 41-19. Registration and notification of neighborhood organiza- tions.

(a) *Legislative intent.* It is the intent of the council to increase access to the various agencies and departments of the city for neighborhood organizations; to improve the flow of information between these groups and agencies and departments of the city; and to enable such organizations to present their positions before certain decisions affecting their neighborhoods are made by agencies or departments of the city. For these reasons, the council hereby intends to extend official recognition to neighborhood organizations registered with the city; to notify such organizations in advance of occasions when decisions are to be reached on certain matters affecting their neighborhoods; and to afford representatives of such organizations the opportunity to present the positions of the organizations at such times.

(b) *Definition.* Neighborhood organization, when the same appears in this section, shall mean: a voluntary, general purpose group of individual residents and owners of real property within a certain prescribed area of the city, formed for the purpose of collectively addressing issues and interests common to and widely perceived throughout the area.

(c) *Eligibility standards.* To be eligible to register as provided in this section, neighborhood organizations shall meet the following standards:

(1) They shall be formed by residents and owners of real property within a certain prescribed area;

(2) They shall hold meetings open to the entire membership, at which all members may vote, not less than once in each calendar year; and such meetings shall be open to the public;

(3) They shall hold all meetings other than the annual meeting required hereunder open to the public;

(4) They shall post notices of all meetings, in advance, in public places within their boundaries, as permitted and prescribed by law;

(5) Their membership shall be open to any owner of real property or resident whose property or residence is located partially or wholly within their boundaries;

(6) They shall have established their boundaries, which may include one or more neighborhoods within the city; provided, that the boundaries of a neighborhood organization may not encompass the entire city;

(7) They shall not comprise a coalition whose member organizations are themselves eligible to register hereunder;

(8) They shall not comprise agencies or organizations exclusively related to a specific institution or organizations solely concerned with special interests and limited issues.

(d) *Overlapping boundaries.* The boundaries of adjacent neighborhood organizations may overlap, and such overlapping shall not render any neighborhood organization ineligible hereunder.

(e) *Registration.* Any eligible neighborhood organization may register by filing with the planning office its official name, its current boundaries and the names, mailing addresses and telephone numbers of its current officers, and of a current member whom an agency or department of the city may contact. A neighborhood organization not currently registered may file for registration at any time. Registration shall be renewed annually in the same manner, not earlier than November first nor later than December thirty-first of each year.

(f) *Duties of the planning office.* The planning office shall have the following duties in connection with all registered neighborhood organizations:

- (1) To maintain a current map of the boundaries and a current list of their official names, officers and contact persons;
- (2) To distribute copies of such map and list, during the month of January of each year, to the mayor, the council, the zoning administrator, the board of adjustment-zoning, the director of excise and licenses, the land officer, the director of the design engineering division of the department of public works; and to keep said persons informed of all changes or additions;
- (3) To approve forms used by agencies and departments of the city to make the notifications to neighborhood organizations that are required in subsection (g);
- (4) To monitor the effectiveness of the provisions of this section with respect to the legislative intent hereof; and to report on the same annually to the mayor and council;
- (5) To display and to make available to all registered neighborhood organizations, at a fee determined by the planning director, a copy of the map required herein; and to distribute copies of the list required herein, to all such organizations.

(g) *Notification of registered neighborhood organizations.* Registered neighborhood organizations shall be notified of certain matters affecting areas within, or within two hundred (200) feet from, their boundaries. They shall be so notified by mail in an appropriate and effective manner approved by the planning office. Such notification shall be made within ten (10) working days after receipt of an application or the submittal of a proposed development or the filing of a bill for an ordinance to amend a provision of chapter 59 or notice of a hearing under article III of this chapter. Notification shall include, where applicable, the location and general description of the proposed action; and the process to be followed, including the date, time and place of any public hearing relating thereto, if such has been scheduled. Agencies or departments of the city shall be responsible for such notification according to the following tabulation:

<i>Subject</i>	<i>Responsible City Agency</i>
Zone Map Amendment	Zoning Administration
Zoning Language Amendment	City Council
Zoning Variance	Board of Adjustment-Zoning
R-X Zone District Plan	Denver Planning Office
Planned Building Group	Denver Planning Office
Preliminary Subdivision Plat	Denver Planning Office
Sale of Public Land	Land Office
Street or Alley Vacation	Design Engineering Division of Department of Public Works
New Malt, Vinous or Spir- ituous Liquor License Application	Department of Excise and Licenses
New Cabaret License Ap- plication	Department of Excise and Licenses
Class 15 and 16 Amusement License Applications	Department of Excise and Li- censes
Hearing before the Board of Plan Enforcement Review and Variation	Denver Planning Office
New License Applications for Rooms for Recreation, Amusement or Social Activi- ties	Department of Excise and Li- censes
Applications for Landmark Designation	Landmark Preservation Com- mission

- (1) The council shall send, each week, to each registered neighborhood organization, one copy of the meeting schedule of the council for the succeeding two (2) weeks.
- (2) The failure of an organization for whatever reason to receive a notification required hereunder shall not invalidate any action taken by the city.

(h) *Notification of applicants.* The responsible agencies or departments of the city, upon receiving an application or plan relating to any of the matters listed in subsection (g), shall inform the applicant of the registered neighborhood organization or organizations whose boundaries encompass, or lie within two hundred (200) feet from, the location for which application is made, and of the officers or contact person or persons thereof.

(i) *Public hearings.* At any public hearing on the matters listed in subsection (g), except malt, vinous or spirituous liquor license applications, following the presentation by the applicant, testimony shall be accepted from members of each registered neighborhood organization whose area is affected by the request of the applicant. A person authorized by a registered neighborhood organization, of which such person is a member, to present at such hearing the position taken by the organization shall begin such testimony with a statement that shall include:

- (1) The time and date of the meeting when the organization decided on its position;
- (2) The nature of the meeting, whether the same was a meeting of the board or of the general membership;
- (3) The number of members present; and
- (4) The votes cast for and against the proposed position.

(Code 1950, § 131.5-5; Ord. No. 25-81, § 1, 1-26-81; Ord. No. 72-82, § 1, 3-1-82; Ord. No. 220-83, § 1, 4-11-83)

E. CONSERVATION OVERLAY ORDINANCE ALBUQUERQUE, NEW MEXICO

SECTION 39. OVERLAY ZONES. -- The following overlay zones apply to areas where they are mapped in addition to the provisions of another zone. Where the provisions of overlay zones conflict with the provisions of another section of this ordinance, the provisions of the overlay zone shall prevail.

A. WO WALL OVERLAY ZONE:

1. General. The overlay zone may be considered for land placed in any residential zone where, due to special planning considerations or external influences, high walls or fences are reasonable and proper even in the front yard.
2. Control. Front yard wall and fence heights shall be set by the Planning Commission; maximum height in feet shall be stated in the resolution and on the zone map: e.g., R-1/WO-4. However, no wall or fence shall violate the clear sight triangle nor shall a wall or fence over three feet high be closer than 11 feet to the junction of a driveway and a public sidewalk or planned public sidewalk location.
3. Procedures. The wall overlay zone is mapped through the regular rezoning process.

B. HO HISTORIC OVERLAY ZONE:

1. General. This overlay zone may be used in any area which is suitable for preservation and which has historical, architectural or cultural significance, and which in addition:
 - a. Embodies the distinctive characteristics of a type, period, or method of construction, or
 - b. Portrays the environment of a group of people in an era of history characterized by a distinctive architectural type, or
 - c. Has yielded, or is likely to yield, information important in history or prehistory, or

d. Possesses high artistic values, or

e. Has a relationship to designated landmarks or a historic zone which makes the area's preservation critical.

2. Controls and procedures shall be prescribed in D of this section.

C. UCO URBAN CONSERVATION OVERLAY ZONE:

1. General. This overlay zone may be used for areas which have distinctive characteristics that are worthy of conservation but which lack sufficient historical, architectural, or cultural significance to qualify as historic areas, and which, in addition:

a. Have recognized neighborhood identity and character, or

b. Have high artistic value, or

c. Have a relationship to urban centers or historic zones which makes the area's conservation critical, or

d. Are located outside of the Redeveloping Area and are subject to blighting influences.

2. Controls and procedures shall be as proscribed in D of this section.

D. Controls and procedures in the HO Historic and UCO Urban Conservation Overlay Zones:

1. Control. The area's distinctive characteristics and general preservation guidelines for the area shall be identified by the City Council in the resolution applying the Historic or Urban Conservation Overlay Zone to any given area. Specific development guidelines for each Overlay Zone area shall be adopted by the Landmarks and Urban Conservation Commission. Any construction, alteration, or demolition which would affect the exterior appearance of any structure within said Overlay Zone shall not be undertaken until a Certificate of Appropriateness has been approved by the Landmarks and Urban Conservation Commission. Provided, however, that the adopted specific development guidelines may exempt specific structures and types of construction, alteration or demolition from the requirement for a Certificate of Appropriateness or may provide for City staff approval in lieu of Landmarks and Urban Conservation Commission approval. Procedures relating to the

issuance of a Certificate of Appropriateness are prescribed in the Landmarks and Urban Conservation Ordinance.

2. Procedures. The HO Historic or UCO Urban Conservation Overlay Zones are mapped through the regular zone map amendment procedures as provided in Section 41 of this ordinance, except that:
 - a. The Landmarks and Urban Conservation Commission may submit an application for an HO Historic Overlay Zone without charge. An application for the UCO Urban Conservation Overlay Zone can only be submitted by property owners in the area. Two-thirds of the property owners in the area covered by the application must agree in writing to the application before it is submitted.
 - b. The Landmarks and Urban Conservation Commission shall conduct the public hearing on the application. The notice requirements shall be the same as those prescribed for Planning Commission hearings on zone map amendments. On the basis of plans, policies and ordinances, adopted by the City Council, the Landmarks and Urban Conservation Commission may recommend approval or amendment of the application, or it may deny the application, and
 - c. If the Landmarks and Urban Conservation Commission recommends approval or amendment, the application shall be transmitted to the Planning Commission for review. The Planning Commission shall only conduct a public hearing on the application if new relevant events have occurred since the Landmarks and Urban Conservation Commission hearing or if the Planning Commission concludes that a public hearing is necessary to carry out the intent of the Comprehensive City Zoning Code. The Planning Commission shall forward the application to the City Council with the Landmarks and Urban Conservation Commission's recommendations and the Planning Commission's evaluation, and
 - d. Only the City Council is authorized to approve any HO Historic or UCO Urban Conservation Overlay Zone map change. The City Council shall officially identify the area's distinctive characteristics which are to be preserved and provide general preservation guidelines in the resolution applying the overlay zone to any given area. The City Council may approve, amend or reject the Landmarks and Urban Conservation Commission's recommendations or the Planning Commission's evaluation. The City Council may amend or rescind any HO Historic or UCO Urban Conservation Overlay Zone it has granted, and

- e. Notice of the time and place of the public hearing conducted by the Council committee on the overlay zone change resolution shall be contained in a public notice in a daily newspaper of general circulation in the City of Albuquerque at least 15 days before the date of the hearing. The notice shall give the location of the property, the present zoning, and the requested zoning, and the place where copies of the application may be examined. Mailed notice of the City Council hearing may be provided to people who indicated interest at the Landmarks and Urban Conservation Commission hearing, and
- f. Within 60 days after an Historic or Urban Conservation Overlay Zone change has been approved, the Landmarks and Urban Conservation Commission shall approve specific development guidelines for the area. The specific development guidelines shall be consistent with the resolution approved by the City Council. The Landmarks and Urban Conservation Commission may amend the guidelines at a public hearing.